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# Unius Regulae Ac Unius Patriae: A Standardizing Process in Anglo-Saxon England

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LOYOLA UNIVERSITY CHICAGO

UNIUS REGULAE AC UNIUS PATRIAE:  
A STANDARDIZING PROCESS IN ANGLO-SAXON ENGLAND

A DISSERTATION SUBMITTED TO  
THE FACULTY OF THE GRADUATE SCHOOL  
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DOCTOR OF PHILOSOPHY

PROGRAM IN HISTORY

BY

DANIEL M. O'GORMAN

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## ABSTRACT

My dissertation investigates the value of ‘standards’ and ‘standardization’ as tools for historians to interpret social and political dynamics in the Middle Ages. To date, medieval scholarship has utilized these concepts in a relatively unsophisticated manner; standardization has been taken to simply mean the imposition of uniformity. My dissertation uses the work of contemporary engineers and sociologists to problematize this understanding of standardization. I argue that the term, properly employed, signifies a process of consensus, of horizontal rather than hierarchical relationships and of ongoing revision. Further, I contend that standardization is a means and not an end, and that those who create and disseminate standards allow for a substantial degree of diversity, provided the diverse means are all directed at the same end.

Anglo-Saxon England of the tenth and eleventh centuries serves as a proving ground for this conception of standardization. As a period that witnessed the coalescing of a single kingdom, uniting a number of hitherto distinct Germanic and Celtic cultures, it would appear to present a number of opportunities to apply the principles I have adduced. I focus on three such subjects. The first is the realm’s coinage. Through an examination of single finds and hoards, as well as the extant legislation, I demonstrate that the creation of a single coinage, accepted throughout the kingdom, was the result not of any single initiative, but an evolution over the course of generations. Similarly, in the case of legal texts, I trace a process in which both the form and content of older codes was continually

updated to the current prevailing standard. Finally, my examination of attempts to regulate the behavior of monks reveals not a desire to impose an invariable regimen, but a negotiated process that embraced a variety of traditions, old and new, foreign and domestic.

## INTRODUCTION

### THE PURPOSE AND DESIGN OF THIS STUDY

This dissertation represents an attempt to interrogate the usefulness of “standardization” as a concept for medievalists. Despite the fact that the word itself is an anachronism for this period, scholars have not been shy about applying it in a variety of contexts.<sup>1</sup> In many of these instances, the phenomena described were identified by contemporaries as a “reformation” or “regularization” designed to create more uniformity either in practice or in the production of material goods.<sup>2</sup> Indeed, medievalists have generally employed the term “standardization” as shorthand to describe precisely this

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<sup>1</sup> To cite just a few examples: Kathleen Scott, “Caveat Lector: Ownership and Standardization in the Illustration of Fifteenth-Century English Manuscripts,” *English Manuscript Studies, 1100-1700* 1 (1989): 19-63; Sally Badham, “London Standardisation and Provincial Idiosyncrasy: The Organization and Working Practices of Brass-Engraving Workshops in pre-Reformation England,” *Church Monuments* 5 (1990): 3-25; Sherry Reames, “Late Medieval Efforts at Standardization and Reform in the Sarum Lessons for Saints’ Days,” in *Design and Distribution of Late Medieval Manuscripts in England*, eds. Margaret Connolly and Linne R. Mooney (York: York Medieval Press, 2008), 91-117; and Janet Snyder, “Standardization and Innovation in Design: Limestone Architectural Sculpture in Twelfth-Century France,” in *New Approaches to Medieval Architecture*, eds. Robert Bork, William W. Clark and Abby McGeehee (Burlington, VT: Ashgate, 2011), 113-27. Nor is such usage limited to English, e.g., Monique Clavel-Lévêque and René Nouailhat, “Les Premiers Moines de Lérins. Régulation et Normalisation du Christianisme,” in *Mélanges Pierre Lévêque*, eds. Marie Madeleine Mactoux and Evelyne Geny, 5 vols., (Paris: Les Belles Lettres, 1990), 4:99-113; Jörg Oberste, “Normierung und Pragmatik des Schriftsgebrauchs im cisterziensischen Visitationsverfahren bis zum beginnenden 14. Jahrhundert,” *Historisches Jahrbuch* 114:2 (1994):312-48; and Antonella Ballardini, “Sculptura a Roma: Standards Qualitativi e Committenza (VIII Secolo),” in *L’VIII Secolo: Un Secolo Inquieto*, ed. V. Pace (Cividale del Friuli: Ufficio Cultura del Comune, 2010), 141-48.

<sup>2</sup> See the conclusion of Chapter Three for the terminology of “reform” with regard to the reestablishment of English monasticism in the tenth century.

process, and have gone so far as to judge the success or failure of such efforts by the degree to which they create and maintain this uniformity.<sup>3</sup>

Such usage is problematic on two fronts. First, it fails to take into account the nuances of standardization as it is understood today by engineers and sociologists. (For example, the goals of standardization can be met when the objects or practices at issue are all capable of fulfilling the desired function, whether or not they adopt the same form. Additionally, partial standardization, in which exactitude is desired for certain elements while other elements are subjected to no constraint, needs to be considered. Finally, the nature of the standards themselves, which, far from being fixed, are subject to constant revision and upgrading, must be borne in mind. These points are developed more fully later in this introduction.) Each of these concepts complicates the notion of standardization as a drive to a single set of criteria, and in the ensuing chapters my treatment of standardization encompasses this broader definition. A second, and more troubling, concern is that a simplistic understanding of standardization tends to remove the process from its context. The precedents that inspire it, the precepts that justify it and even the motivations for undertaking it are ignored or deemed self-evident, with the “how” of standardization eclipsing the “why.” In this study I take it as axiomatic that standardization is not pursued as an end unto itself. Even with processes that are supported by a rich rhetoric extolling the need for uniformity, such as the *Regularis Concordia* in its advocacy of a kingdom-wide regularity of monastic practice, I contend

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<sup>3</sup> Note, for example, the interpretation by Pauline Stafford and Kenneth Jonsson of the movement of die production to regional centers, discussed on pp. 134-36 in Chapter One. Both take the loss of uniformity attendant upon this movement as *prima facie* evidence for a loss of central control and a faltering of the drive towards a standardized coinage.

that an appreciation of the goals this uniformity is designed to further is essential to fully appreciating the impetus towards standardization.

To the degree that standardization is deemed to serve some larger purpose, it is typically seen in a rather nebulous fashion as a means for some institution, most often either church or state, to assert its authority or control, although the actual means by which the creation and adoption of a set of standards produces such an effect is left unstated.<sup>4</sup> While I do not think such a conclusion is unwarranted, I contend that the link between standardization and control is not nearly as straightforward as has often been assumed. It is not immediately apparent, for instance, how bringing the legal code of a previous generation into conformity with the standards of the codes that have superseded it confers greater power upon the standardizer(s). In order to better understand the nature of this link, the case study for my investigation of standardization focuses on a region and time for which the received narration emphasizes the growing power and authority of both church and crown, namely Anglo-Saxon England in the tenth and eleventh centuries. The period from the death of Alfred in 899 to the Norman Conquest in 1066 witnessed the growing hegemony of the kingdom of Wessex over the rest of the country. Perhaps unsurprisingly, this period also saw numerous attempts at reform and regularization in many areas that were of direct concern to the English church and the English crown.

The core of this dissertation is an examination of several of these attempts, coupled with an assessment of each that employs a nuanced consideration of standards and standardization. The first chapter deals with attempts to standardize the coinage, and

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<sup>4</sup> See, for instance, the discussion of the ‘Winchester Vocabulary,’ on pp. 183-85.

concentrates in particular on the general reform of the coinage attributed to King Edgar in the early 970s. The second chapter is given over to attempts to standardize the language and texts of legislation, using as an example efforts in the early eleventh century to “update” a legal code of the previous generation. The final chapter treats attempts to standardize monastic practice throughout the realm as manifested in the Benedictine Reform of the 960s-70s and its legacy. What follows in this introduction is a detailed discussion of the development of standards and standardization accompanied by a review of the relevant scholarship. From these are derived both working definitions and an understanding of the associated processes which lead to and mark efforts at standardization. Next is a relatively brief discussion of later Anglo-Saxon England, emphasizing political and ecclesiastical developments, and their attendant historiographies. In the course of this discussion, key *dramatis personae* of this study (e.g., Edgar, Cnut, Æthelwold, Wulfstan, etc.) are introduced.

### **Towards an Understanding of Standardization**

#### **A History of Standardization**

While standards and standardization have become increasingly ubiquitous in modern culture, scholarly attempts to assess the role they have played in social and economic development of the last few generations have been sporadic and limited primarily to engineers and sociologists. To date, no historian has assayed—in whole or in part—a treatment of the regimen of standards and standardization that has proliferated since the onset of the twentieth century, let alone one that transposes these concepts to an earlier period. In the absence of such work, the next few pages are an attempt to outline this

process. While the phenomena in question have a global reach, their history in the United States is given particular emphasis because, as will be seen, so much of the extant academic work dealing with standardization has been authored by Americans.

### *Lexical Origins and Early Developments*

There is no moment that can unequivocally be said to mark the “dawn of standardization,” especially when, as will be seen, a variety of definitions for “standard” and “standardization” have been put forth. We can hypothesize, however, that its development would be roughly concurrent with the introduction of terms that could be used to describe it. In English, “standard” is a word burdened with a number of different meanings, many of which, such as the banner around which troops could rally in battle, are not germane to this study. The *Oxford English Dictionary* indicates that “standard” was used to connote a prescribed weight, measure or even conduct by the seventeenth century.<sup>5</sup> While this definition of “standard” is thus of substantial ancestry, the notion of standardization as a process is much more recent. The earliest appearance of the verb “standardize” in the *OED* is 1873, while its derivative, the noun “standardization,” is not recorded before 1896.<sup>6</sup> The latter part of the nineteenth century therefore serves as an initial period on which to focus this investigation.

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<sup>5</sup> OED Online. (Oxford University Press, December 2014), *s.v.*, “standardize, v,” and “standardization, n.” <http://www.oed.com/view/Entry/188968?redirectedFrom=standardize> (accessed December 20, 2014).

<sup>6</sup> Ibid. François Ewald, “Norms, Discipline and the Law,” in *Law and the Order of Culture*, ed. Robert Post (Berkeley: University of California Press, 1991), 140, points to a parallel evolution in French. I find no indication that equivalent terms appeared in other languages (e.g., “normaliser” and “normalisation” in French, “normieren” and “Normung” in German, etc.) at a significantly earlier date than they did in English. The Google Ngram Viewer, Jean-Baptiste Michel et al. “Quantitative Analysis of Culture Using Millions of Books” *Science* 331 (14 January 2011): 176-



It has been suggested that “[s]tandardization could not begin until the science of measurement—i.e. metrology—was sufficiently far advanced.”<sup>7</sup> While an enormous variety of standards for weights and measures has been used over the last several millennia, the key advance of the nineteenth century was the development of the technology that allowed for the accurate replication and division of the physical units that comprised these standards. That is to say, it was only by the end of this period that one could have confidence that the measures that were available to the public were substantially in accord both with one another and with the official exemplars created and possessed by the state.<sup>8</sup>

This increase in the reliability of weights and measures was marked by the establishment of the Bureau International des Poids et Mesures in Paris in 1875. One of its first duties was to create a new prototype meter (replacing the model fabricated after the French Revolution) and distribute prototypes of it to each of the founding nations. The seventeen countries that were represented at the Bureau’s first meeting saw the scientific and economic advantages in establishing international metrological conformity.<sup>9</sup>

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82, graphically renders the similar growth in the usage of these words in English, French and German.

<sup>7</sup> Terrence Robert Beaumont Sanders, *The Aims and Principles of Standardization* (Geneva: ISO, 1972), 27. See also Lal C. Verman, *Standardization, A New Discipline* (Hamden, CT: Archon, 1973), 56.

<sup>8</sup> John Perry, *The Story of Standards*, (New York: Funk & Wagnalls, 1955), 6-37.

<sup>9</sup> Norman F. Harriman, *Standards and Standardization* (New York: McGraw-Hill, 1928), 187: “The most momentous event in the entire history of weights and measures was the creation, in 1875, of an international organization for the establishment of worldwide uniformity in standards.”

Similar concerns could be found at the national level. The United States provides an example of a country's response to a newly perceived need for more accurate tools of measurement. Since the 1830s, this had been the provenance of the Office of Weights and Measures, which was under the stewardship of the United States Coast and Geodetic Survey.<sup>10</sup> The Office was so far behind contemporary practice that scientists, and even the government, had to send instruments to Europe for calibration. To rectify this, in 1901 the creation of a National Bureau of Standards was authorized.<sup>11</sup> Something of the tenor of the regard in which these more accurate standards were held can be gleaned from the testimony before Congress of then-Secretary of the Treasury Lyman Gage, speaking in favor of the Bureau's creation:

There is another side to this which occurs to me. It may appear to many to have a more sentimental than practical value, but it gives the proposition, to my mind, great force, and that is what might be called the moral aspect of this question; that recognition by the government of an absolute standard, to which fidelity in all the relations of life affected by that standard is required. We are the victims of looseness in our methods; of too much looseness in our ideas; of too much of that sort of spirit, born out of our rapid development, perhaps, of a disregard or a lack of comprehension of the binding sanction of accuracy in every relation of life.

Now, the establishment of a bureau like this, where the government is the custodian and the originator of these standards of weights and measures as applied to all the higher scientific aspects of life we are so rapidly developing in, has, to my mind, a value far and above the mere physical considerations which affect it, although those considerations are fundamental and most important. Nothing can dignify this government more than to be the patron of and the establisher of absolutely correct scientific standards and such legislation as will hold our people to

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<sup>10</sup> Perry, 38-55, traces the early development of American metrology.

<sup>11</sup> In 1988, it was renamed the National Institute of Standards and Technology.

faithfully regard and absolutely obey the requirements of law in adhesion to those true and correct standards.<sup>12</sup>

The moral and ethical qualities with which, by nature of their perceived accuracy and objectivity, standards were deemed to have been imbued are easily discerned here.

Although rarely so overt, a similar regard for these assumed virtues can be found in much of the other writing that addresses standards.

### *The 'Discipline' of Standardization*

The initial impetus to improve the standards for weights and measures was soon augmented by a drive to implement these standards in production. Professionally, engineers were at the forefront of this movement. In America, mechanical engineers formed their own standards committee in 1884, and chemical and electrical engineers followed shortly thereafter.<sup>13</sup> As a rule, these different professions remained separate, although in Britain, the Engineering Standards Committee, formed in 1901, was a limited exception. Nonetheless, adoption of standards was piecemeal, and cooperation within industries was limited.

It was the experiences of World War I, which saw governments with a far greater ability to mobilize and control their countries' manufacturing activities than they had ever previously possessed, coupled with the industrialization of the previous century, that led to an increasing emphasis on the efficiencies that could be gained through standardization. The reduction of the number of types and grades of a given item (a form

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<sup>12</sup> Henry S. Pritchett, "The Story of the Establishment of the National Bureau of Standards," *Science* 15 (1902): 283.

<sup>13</sup> David F. Noble, *America by Design: Science, Technology and the Rise of Corporate Capitalism* (New York: Knopf, 1977), 80.

of standardization often referred to as “rationalization”), as well as the adoption of specifications for various parts and processes throughout an industry led to a dramatic decrease in waste and a corresponding boost to the rate of production. In consequence, leading industrialized countries developed national associations dedicated to the development and promulgation of standards either in the closing phases of the war (Germany, the United Kingdom and the United States) or in the years immediately following (Japan, the Soviet Union, France, Italy, etc.) By 1928, there were nineteen such bodies.<sup>14</sup> Typically, these organizations responded to the concerns of private industry, and the standards they approved were intended to be voluntary. Nevertheless, the associations themselves usually benefitted from some degree of governmental recognition, often encompassing organization and funding. A few, such as the Gosstandart in the Soviet Union, were completely integrated into the state, with the authority to issue standards that had the force of mandatory regulations.

This move towards greater standardization reached its logical culmination in 1926, when the framework was established for the foundation of the International Federation of the National Standardizing Associations, an umbrella organization of the various national bodies. After a brief hiatus during the Second World War, it was reconstituted in 1947 as the International Organization for Standardization (ISO). Headquartered in Geneva, the ISO currently has 113 nations enrolled as full members and another 50 that are

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<sup>14</sup> Harriman, 155-83; Verman, 105-12. The British Engineering Standards Association (1918) grew out of the more specialized Engineering Standard Committee. Since 1931, it has been the British Standards Institute. The American body was inaugurated as the American Engineering Standards Committee in 1918. It was successively reorganized as the American Standards Association in 1931 and the American National Standards Institute (ANSI) in 1969.

correspondent or subscriber members. This was not the first such organization. Electrical engineers, committed to a technology still in its infancy, were quick to see the advantages of developing standards in tandem with practices. In 1904, the Fifth International Electrical Congress, meeting in St. Louis, agreed a proposal to form a permanent, international commission, dedicated to the standardization both of units of electricity and electrical machinery.<sup>15</sup> Consequently, the International Electrotechnical Commission (IEC) was formed in 1906. Also based in Geneva, the IEC operates in cooperation with the ISO.

The production of standards as envisioned by these bodies exemplifies principles that are still fundamental to standardization today. The following depiction, however idealized and generalized, should serve to demonstrate the application of these principles. First, a request to create or revise standards for a given item or process is referred to a committee (likely a permanent subcommittee created either by the national standards organization or by a consortium of like-minded firms, or possibly a temporary one which has been formed expressly to consider the request) that has a recognized expertise in the particular field to which the proposal relates. Optimally, this committee includes individuals who have a working familiarity with the equipment and processes to which the proposed standard applies. In addition, it should have representatives from all other parties that might be affected by the standard—suppliers, producers, buyers and end-use consumers. If the committee agrees that a new standard is warranted, a given period of time will be allowed for research, examining analogous standards, consulting with

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<sup>15</sup> *Transactions of the International Electrical Congress, St. Louis, 1904*. 3 vols. (Albany: J. B. Lyon, 1905), 1:34-35, 44-46.

outside experts and the like. At the end of that time, a draft standard will be produced.

The various parties on the committee will confer with the interests they represent and suggest any changes they deem necessary. Eventually, the revised draft garners a consensus and the final result is published as the new standard. The reliance on expertise and the best accepted practices, the participation of all who have a potential stake in the result and the search for consensus are all hallmarks of the standardizing process.

The creation of international bodies demonstrated a widespread enthusiasm for the implementation of standardization. Two related developments contributed to extending standardization's influence in the first half of the twentieth century. One was the conflation of standardization with another movement deemed to significantly increase efficiency in manufacture, the techniques of "scientific management" first pioneered by Frederick Winslow Taylor, which rapidly achieved international influence.<sup>16</sup> Although Taylor died in 1915, proponents of his theories continued to develop them in succeeding years, with particular emphasis on the goal of increasing the efficiency of workers as well as the techniques of production. The second was the extension of standardization from its original base on the factory floor. This extension was both 'vertical,' that is, into accounting, procurement, research and development, etc., and 'horizontal,' spreading from the industrial to other sectors of production, such as agriculture and mining.

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<sup>16</sup> Frederick Taylor, *The Principles of Scientific Management* (New York: Harper, 1916), is a synthesis of his ideas. For Talyor and standardization, see Noble, 82-83, 264-83; Lawrence Busch, *Standards: Recipes for Reality* (Cambridge, MA: MIT Press, 2011), 123-25. Wilfried Hesser and Alex Inklaar, *An Introduction to Standards and Standardization* Deutsches Institut für Normung [DIN] Band 36 (Berlin: Beuth, 1998), 29-31.

Standardization met little in the way of concerted resistance for most of the twentieth century. For instance, despite some variation in the mechanisms of enforcement and coercion, a belief in the efficacy of standards transcended East-West fissures; the principles of standardization and Taylorism were embraced by both Lenin and Stalin, and, by the 1970s, the Soviet Union had produced more standards than its American counterparts, creating a cabinet-level position—the Ministry of Standards—to supervise their creation and enforcement.<sup>17</sup> Nonetheless, two distinct criticisms were occasionally acknowledged, one pragmatic and the other somewhat speculative. First, it was argued that standards could prove too confining, incurring excessive expense and stifling innovation.<sup>18</sup> More conceptually, there was concern that that indiscriminate application of standards could lead to the homogenization of culture and the eradication of regional difference, culminating in the suppression of individualism.<sup>19</sup> These points have recurred in debate over standardization to this day.

Several notable trends in standardization can be observed in the decades after World War II. The focus of standards, hitherto primarily economic, was somewhat diffused by

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<sup>17</sup> Busch, 124; Verman, 109, 209-10. Martha Lampland, “Classifying Laborers: Instinct, Property and the Psychology of Production in Hungary (1920-1956),” in *Standards and their Stories: How Quantifying, Classifying, and Formalizing Practices Shape Everyday Life*, eds. Martha Lampland and Susan Leigh Star (Ithaca: Cornell University Press, 2009), 123-42, contends that the same standardizing and management techniques were employed in both conservative interwar and postwar socialist Hungary, the only difference being a reversal of the populations that were considered to be most and least productive.

<sup>18</sup> Harriman, 50-54; Verman, 334. Pierre Guillet de Monthoux, *Action and Existence: Anarchism for Business Administration*, trans. D. E. Weston (Chichester: John Wiley & Sons, 1983), offers a comprehensive argument in this vein, couched in the intellectual tradition of Continental anarchism, suggesting that the drive to standardization, insofar as it acts to restrict spontaneity and creativity, actually leads to reduced economic efficiency.

<sup>19</sup> Harriman, 107-08; Busch, 120.

an emphasis on workplace safety, consumer health, and—more recently—the environment. Additionally, the move towards standardization of work, as opposed to products, which had begun with the Taylorists, continued apace, particularly in the clerical and service industries. At the same time, standards proliferated in traditionally white-collar professions in the form of various codes of conduct. Finally, the creation of a number of new nations in the wake of the end of European colonialism spurred an interest in the possibilities of extensive programs of standardization as an aid to their fledgling economies.<sup>20</sup>

### *The Current State of Standards*

Today, we exist in a world in which standardized objects and standardized practices constantly condition our behavior, doing so in ways that are so ubiquitous and mundane that we are often unaware of them.<sup>21</sup> In the last generation, three phenomena have combined to challenge, not standardization itself, but the general method of standardization as it has developed since the end of the nineteenth century. These are: the sudden influx of new technology relating to computers and communication; the increased pace of globalization, particularly in the case of supply and production chains; and the increasing prevalence of neoliberal principles in international trade.

Designers of computer and communication software find themselves in a position analogous to that of electrical engineers a century earlier. It is a generally accepted

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<sup>20</sup> The introduction of standardization to developing countries is a primary focus for both Verman and Hesser and Inklaar.

<sup>21</sup> Mike Michael, “Sticking Plasters and the Standardizations of Everyday Life,” in *Calculating the Social: Standards and the Reconfiguration of Governing*, eds. Vaughn Higgins and Wendy Larner (Basingstoke: Palgrave Macmillan, 2010), 132-34.



principle of standardization that it is easier to introduce standards in the infancy of a technology than when it has matured and practices have become established.<sup>22</sup> While the electrical engineers had no resources to aid in standardization, many of today's developers find the standards already in existence, with their provisions for extended feedback and revision, to be too cumbersome for their needs. Instead, they have adopted their own, much more informal procedures. This has resulted in a much faster production of standards, but with fewer interests represented in their creation.<sup>23</sup>

The growth of international trade has been a centuries-long process. From the perspective of standardization, however, the critical factors over the last few decades have been a decrease in shipping costs and an increase in available labor markets such that international supply chains—in which raw materials are mined or harvested in some regions, processed in others, combined into a final product elsewhere and distributed for consumption in yet other locales—are more feasible than ever before. Consequently, it is difficult to be assured that the materials and procedures utilized in such transnational chains conform to the prevailing standards in places where the finished product is produced or sold. This is particularly true in regard to issues such as workplace and

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<sup>22</sup> Sanders, 66; Verman, 150-52; although see the cautions against trying to standardize *too* early expressed in John Gaillard, *Industrial Standardization: Its Principles and Application* (New York: H. W. Wilson, 1934), 17-19; and Paul David, "Some New Standards for the Economics of Standardization in the Information Age," in *Economic Policy and Technology Performance*, eds. Partha Dasgupta and Paul Stoneman (Cambridge: University Press, 1987), 206-39.

<sup>23</sup> Stephen Oksala, "National Versus International Standards: Products and Processes," in *Standardization Essentials: Principles and Practice*, eds. Steven M. Spivak and F. Cecil Brenner (New York: Marcel Dekker, 2001), 97; Susana Borrás, *The Innovation Policy of the European Union: From Government to Governance* (Cheltenham: Edward Elgar, 2003), 165-68; Daniel Pargman and Jacob Palme "ASCII Imperialism," in Lampland and Star, *Standards and their Stories*, 184-89.

environmental safety, the standards for which are traditionally enforced by governmental bodies that have no authority beyond their own borders. In response to consumer concerns, many producers and distributors have adopted corporate codes of conduct, pledging, among other things, only to patronize suppliers who adhere to certain standards set by the corporation, and a cottage industry of private organizations tasked with certifying these suppliers and their products has sprung up as a result.<sup>24</sup>

The two neoliberal precepts that have the potential to challenge the traditional operation of standardization are that the informed actor will make rational choices in her best economic interest and that the only licit economic function of the state is to construct markets and enforce market rules. This is especially relevant to international trade, where, it has been maintained, the creation of standards that serve as barriers to restrict imports and protect domestic industry, particularly in less developed countries, is a legitimate exercise of government.<sup>25</sup> Additionally, however, these principles endorse market-driven solutions to questions of workplace safety, consumer protection and environmental preservation, areas in which, as has been noted, governments have typically enforced mandatory standards.<sup>26</sup> Failing the complete abandonment of such

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<sup>24</sup> Provisions for social justice in the treatment of the workforce, not heretofore a regular feature in corporate standards, often appear in such codes. Marina Prieto-Carrón and Wendy Lerner, “Gendering Codes of Conduct: Chiquita Bananas and Nicaraguan Woman Workers,” and Carmen Bain and Maki Hatanaka, “The Practice of Third-Party Certification: Enhancing Environmental Sustainability in the Global South,” in Higgins and Lerner, *Calculating the Social*, 38-55 and 56-74, each express some skepticism about the effectiveness and transparency of third-party certification bodies. See also the contributions in *Business Regulation and Non-State Actors: Whose Standards? Whose Development?*, eds. Darryl Reed, Peter Utting and Ananya Mukherjee-Reed (Oxford: Routledge, 2012), particularly the Introduction and chs. 1-2, 4-5 and 24.

<sup>25</sup> Verman, 219-20; Hesser and Inklaar, 46-50.

<sup>26</sup> The general question of voluntary as opposed to mandatory standards is reviewed on pp. 47-50.

regulations, neoliberals have shown a preference for international rather than national standards, whether published by the ISO or agreed in trade treaties or in bodies such as the World Trade Organization, given that these standards both minimize the number of different criteria producers have to meet and maximize access to potential markets.<sup>27</sup>

### The Scholarship on Standardization

There has been remarkably little recognition of the growing prevalence of standardized objects and behaviors in the world today, let alone an investigation into how they developed in the fashion that they did, and, while their economic value has generally been assumed, their potential social, cultural and political implications have gone unnoted. That which has been produced can be loosely divided into two different groups. From the early twentieth century, a number of works, primarily composed by engineers, have explored the processes of drafting and implementing standards. These treatments are intended to be accessible to anyone interested in pursuing standardization, regardless of the field, and thus they dispense with the minutiae and esoteric vocabulary that often mark its application, instead explicating general principles and procedures. Examples of this genre are still being published today.<sup>28</sup> The second category is dominated by social scientists, and, in particular, sociologists, and their writing is more academic in nature.

While the role of technology in the modern world has long been a topic of interest for

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<sup>27</sup> Oksala, 91-100; Stephen Lowell, “The Modern-Day Archimedes: Using International Standards to Leverage World Markets,” in Spivak and Brenner, *Standardization Essentials*, 149-60. Note the argument in Liora Salter, *Mandated Science: Science and Scientists in the Making of Standards* (Dordrecht: Kulwer, 1988), 89-92, that this often has the effect of compelling countries with relatively stringent health or safety standards to accept the looser ones embodied in these agreements.

<sup>28</sup> E.g., Karen Bartleson, *The Ten Commandments for Effective Standards: Practical Insights for Creating Technical Standards* (Mountain View, CA: Synopsys Press, 2010).

these fields, the recognition of the degree to which standardization contributes to that role is a relatively recent one.<sup>29</sup> As a result, this work constitutes a growing, but still small, area of inquiry; scholarship on this topic prior to the 1980s is practically nonexistent, and twenty-first century publications outnumber those produced earlier. The following pages review each group, as well as some of the more notable points of difference between them.

By the 1920s, the increased focus on standardization in industry and the growth of standardizing bodies at the national and even international level led to a search for a theoretical framework that could encompass the various processes of standardization that these organizations were tasked with. Such a framework had, perforce, to be constructed *ab initio*; when taking up the subject, Norman Harriman wrote “it seems strange that at the present time (August, 1928) there is not a single book in the English language on this important subject.”<sup>30</sup> If anything, he seems to have understated his case. A perusal of his bibliography shows that the French and German works that he referenced were just as narrow and predominantly technical in their focus as were those in English. All were focused on the application of standards in various industries, with none addressing their creation. Other significant early contributions include John Gaillard, *Industrial Standardization: Its Principles and Application* (1934), and John Perry, *The Story of Standards* (1955). These initial forays into the field shared one characteristic; writing in 1973, Lal Verman noted that, to date, the vast majority of “systematic accounts of the

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<sup>29</sup> Andrew Barry, *Political Machines: Governing a Technological Society* (London: Athlone, 2001), 26.

<sup>30</sup> Harriman, v.

subject as a whole” had been written by Americans, and the preponderance of English-language, and particularly American, scholarship has continued to the present.<sup>31</sup>

Verman’s study has, in turn, been considered “seminal” to more recent treatments of the subject.<sup>32</sup> His contribution is the most exhaustive treatment of standardization yet written, and is especially celebrated for its innovative construction of multiple axes upon which the different attributes of a standard might be mapped. For our purposes, however, it is more notable for the continuities it shows with earlier works. Not only were they all produced from the perspective of engineers, but these were also engineers who had been intimately involved with the process of standardization. Harriman was affiliated with the United States National Bureau of Standards, and Gaillard with the American Standards Association.<sup>33</sup> Verman served nineteen years as head of the Indian Standards Institute in addition to a five-year stint as vice-president of the ISO; the president of the latter body wrote the foreword to Verman’s book. Such familiarity with the field undoubtedly contributes to their expertise, but it also suggests a favorable predisposition on the part of these authors towards their topic. It is perhaps unsurprising that their narratives stress the efficiencies that standardization can bring. Although there are occasional cautions against

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<sup>31</sup> Verman, xiii-xiv, with references. Verman himself, although born in India, received his undergraduate degree from Michigan and his MS and PhD from Cornell.

<sup>32</sup> Kai Jakobs, *Information Technology Standards and Standardization: A Global Perspective* (Hershey, PA: Idea Group, 2000), 7. Steven M. Spivak and F. Cecil Brenner, “Preface,” in *Standardization Essentials*, x, which characterizes it as “an inspiration” as well as “seminal.” Hesser and Inklaar, 60, refers to it, perhaps unfortunately, as “the standard work” in the field.

<sup>33</sup> Other authors with similar backgrounds include—but are not limited to—Charles D. Sullivan and Stephen Lowell, both with the Standards Engineering Society, Stephen Oksala of the American National Standards Institute, and Terrence Sanders, who worked with the ISO’s standing committee for the Study of Scientific Principles of Standardization.

the capricious and undirected application of standards, the general thrust of their work is to argue that the human experience of rationally applied standards will be an unalloyed good.<sup>34</sup>

These writers understand efficiency, and in particular economic efficiency, to be the initial benefit gained from standardization. Moreover, when standardization is effected on the international stage, this efficiency and mutual economic benefit, it is expected, will lead to closer integration and peaceful coexistence for humanity.<sup>35</sup> The exact means by which standardization leads to this result is left unstated. It can be assumed that an increase in trade would be offset by a decrease in conflict. Beyond this, however, there is a suggestion, never fully developed, that standards themselves are a unifying force.<sup>36</sup>

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<sup>34</sup> Harriman, 127, “As in the case of many other good things, *standardization can be overdone*. We are forced from the facts, however, to conclude that there can never be any real danger from misdirected standardization,” emphasis in the original.

<sup>35</sup> Particularly emphatic on this point is Verman, 28, “mankind is moving more rapidly than ever before towards one-world [sic] concept. Anything which would hamper this movement should be discouraged, especially in the field of standardization, where all effort is to be focused on international unification in the interest of maximum economic advantage;” 150, “It is at the international level that standardization begins to contribute to the deepest aspirations of mankind by helping to bring about understanding among nations and to transform the one world concept into reality;” 171, “The most fundamental underlying consideration which brings each one of these groups [different nations that participate in regional standardizing bodies] together appears to be common economic interest, which after all is the chief motivation for all standardization activity;” but note similar sentiments in Charles Sullivan, *Standards and Standardization: Basic Principles and Applications* (New York: Marcel Dekker, 1983), 46-47, “the beneficial results of international cooperation on standards is a strong force for peaceful coexistence. It is, in its own way, a united nations assembly;” and Borrás, xii, 4.

<sup>36</sup> Perry, 58, “Prince Talleyrand, like many national leaders of the past, saw that the unity of weights and measures was one key to national unity.” See also the suggestive comment in S. K. Sen, “Defining Standardization,” *Indian Standards Institute Bulletin* 23 (1971): 390, discussing “standards for social customs and language...which aim at cultural unification and communication between individuals and communities.”

Two further elements of this branch of the writing on standardization are worthy of mention. First, the American dominance in this field has led to an emphasis on the particulars of the American practice of standardization, and an endorsement of these particulars when they differ from those found elsewhere. The most significant of these is the nearly century-old tradition in which the standardizing process in America is decentralized to a degree unmatched anywhere else. The American National Standards Institute, like its predecessors, the AESC and the ASA, is anomalous in comparison to other national standards organizations in that its activities are controlled by various industries, with minimal government participation.<sup>37</sup> This has contributed to a mindset on the part of American engineers that the state's involvement with standards is more likely than not to serve as an impediment to trade, both domestic and international.<sup>38</sup>

A second component of this literature is an assumed commonality in the service of standardization. For these authors, those who make, implement and monitor a given standard will be of one mind as to their purpose and will share the same interpretation of the standard, regardless of any geographic or chronological differences they may have. This belief is founded, in part, on the inclusion in the standard-writing process of individuals who have the same professional experiences and training as those who will

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<sup>37</sup> Verman, 99, 112-13. Spivak and Brenner, 68-69, observes that ANSI no longer writes standards, and instead coordinates and approves the standard-making activities of other bodies.

<sup>38</sup> Sullivan, 36, 59; Frank Kitzantides, "Conformity Assessment: Laboratory Accreditation, Quality System Registration, and Product Certification," in Spivak and Brenner, *Standardization Essentials*, 87-88.

end up utilizing the standard, and who therefore will be able to anticipate their needs.<sup>39</sup> In addition, it is based upon the principle that all who work with the standard will, regardless of their native language, be able to draw upon a shared, specialized vocabulary, one that is created and refined in the process of standardization.<sup>40</sup> Finally, it is supported by an assertion of the objectivity of the standards themselves, as well as the objectivity of the science and technology which underlie them. As one author describes it, in reference to the standardization of weights and measures:

So now, at last, measurement had become a science, and the responsibility for standards of measurement had passed into the hands of scientists. Whatever might happen in commerce, no matter how much an individual shopkeeper here and there might tinker with his brass weights or his scale, the fundamental standards of measurement would never again be uncertain or corrupt.<sup>41</sup>

The use of the word “corrupt” in this context is telling. Much of the appeal of standards lies in their apparent lack of bias; they seem to be imbued with what Lorraine Daston has dubbed “aperspectival objectivity,” rendering them neutral.<sup>42</sup> Further, the belief that standards obviate any possibility of corruption harks back to the comments of Treasury Secretary Gage. The notion that standards are not in the service of any one individual or interest, but instead impartial arbiters, gives them a moral force, albeit one

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<sup>39</sup> Florence Millerand and Geoffrey C. Bowker, “Metadata Standards: Trajectories and Enactment in the Life of an Ontology,” in Lampland and Star, *Standards and their Stories*, 149-65, stress the importance of having those who will actually implement standards participate in their drafting.

<sup>40</sup> Harriman, 109; Sanders, 21-25; Ewald, 150-51.

<sup>41</sup> Perry, 54-55.

<sup>42</sup> Lorraine Daston, “Objectivity and the Escape from Perspective,” *Social Studies of Science* 22 (1992): 597-618.



that is rarely acknowledged in the engineering literature on standards.<sup>43</sup> A similarly unremarked upon point is that standards are more than a means of measurement. Both the acts of composing and applying standards contain an element of judgment.<sup>44</sup> A recognition of this judgment, and of its implications for social and political dynamics, is one of the salient features that distinguishes social scientists' discussion of standards from those of engineers.

Investigation of standardization carried out from the perspective of the social sciences has tended to conform to one of two models. The more common is a case study designed to explore one or more elements of standardization. Such studies draw on instances in both the developing and the developed world, looking not only at standardization in industry, but also in farming, services and the professions.<sup>45</sup> The second model scrutinizes standards and standardization with a much broader lens, comparing the many different spheres in which standards operate and trying to deduce some of the general principles that guide their interaction with man and with each other.<sup>46</sup> Unlike the more established engineering literature, there is no recognized niche for these works, and as a

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<sup>43</sup> Ibid., 614: "In the self-denying counsels of aperspectival objectivity still reverberates the stern voice of moral duty, and it is from its moral character, not from its metaphysical validity, that much of its force derives. The values of perspectival objectivity are undeniably curious ones, and may well be of dubious merit. But moral values they undeniably are, and we must take this into account when we try to explain how our current confused usage of objectivity came to be."

<sup>44</sup> James Urmson, "On Grading," *Mind* 59 (1950): 145-69, is fundamental on this issue. See also the discussion in Busch, 240-46.

<sup>45</sup> Salter; Barry, with particular reference to chapters 3-4; Borrás; Lampland; and Higgins and Larner are representative of these case studies.

<sup>46</sup> Examples include Ewald; Nils Brunsson and Bengt Jacobsson, *A World of Standards* (Oxford: University Press, 2000); and Busch.

result, their authors often appear to be unaware of each other's contributions. (Lawrence Busch's *Standards: Recipes for Reality*, published in 2011 and the most comprehensive effort to date, is something of an exception.) Another difference is that these studies are less dominated by American scholarship. The *lingua franca* of standardization is still English, but in this instance it is being produced by academics from places such as Canada, the United Kingdom, Sweden, France and Australia, as well as the United States. It is also more ready to look to Continental antecedents, both for the social origins of standardization and for a theoretical apparatus to explain it.

Perhaps unsurprisingly, these authors do not hold standardization in quite the esteem as do engineers. An illuminating comparison of the different tones can be found in the following two quotes, both dealing with the potential for global standardization to reduce the number of spoken languages:

...the welter of existing languages can be reduced to a reasonable level, at which the scientist and technologist of tomorrow will be able to handle conveniently the problems of worldwide communication.<sup>47</sup>

What are the effects of English and other languages on the approximately 6,500 different languages spoken on Earth today? It is estimated that an average of two languages disappear every month (Schauer 2003), and Michael Krauss estimates that 90 percent of all languages may die out within this century. Thomas Schauer bleakly notes "...many cultural minorities are disadvantaged and cannot provide a market which would be large enough..."<sup>48</sup>

One study, while purporting to be neutral, concludes with an extended metaphor likening standards to the bed of Procrustes, while Busch's conclusion is entitled, perhaps

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<sup>47</sup> Verman, 434.

<sup>48</sup> Pargman and Palme, 180.

auspiciously for the study at hand, “Another Road to Serfdom?”<sup>49</sup> There are several reasons for this apparent antipathy. They include a concern about the exercise of power enabled by standards, an awareness of the social impact of even the most technical of standards, and skepticism about the degree to which the actual practice of standardization adheres to the ideal—or whether it is even capable of doing so.

Standardization, insofar as it acts to “structure the possible field of actions of others,” accords with Michel Foucault’s conception of power relations, a connection that has been made in several recent discussions of standards.<sup>50</sup> It is representative of Foucault’s normative order which, in its exercise of control and regulation of life (i.e., “biopower”) has superseded much of the older juridical model, which relied on death as its ultimate sanction.<sup>51</sup> Standards are a particularly effective agent of the normative order because of their ability to direct life in ways that are simultaneously seemingly innumerable and quotidian.<sup>52</sup> In a variety of occupations, the regular surveillance that is the hallmark of such an order has been so inculcated that the enforcement of standards has devolved to

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<sup>49</sup> Brunsson and Jabosson, 16, 172-173. Admittedly, Busch’s title is at least in part a response to Friedrich Hayek’s 1944 work. See also Susan Star and Martha Lampland, “Reckoning with Standards” in Lampland and Star, *Standards and Their Stories*, 4: “We hope to contribute here, in a modest way, to a dulling of the impulse to standardize everything that seems to grip modern organizations. We are not, in any sense, against standardizing—only against society’s romance with it.”

<sup>50</sup> Michel Foucault, “Afterword: The Subject and Power” in *Michel Foucault: Beyond Structuralism and Hermeneutics*, eds. Hubert Dreyfus and Paul Rabinow (Chicago, University Press: 1982), 220-21. Ewald is particularly relevant on this point. See also Paul Henman and Mitchell Dean, “E-Government and the Production of Standardized Individuality,” in Higgins and Lerner, *Calculating the Social*, 77-79.

<sup>51</sup> Michel Foucault, *The History of Sexuality. Volume 1: An Introduction*, trans. Robert Hurley (London: Allen Lane, 1979), 135-45.

<sup>52</sup> Henman and Dean, 78-79.

the individual, for whom self-regulation and self-assessment are increasingly important in determining competency.<sup>53</sup> This devolution does not empower the individual because standards do not themselves embody power; instead, they enable its exercise.<sup>54</sup> Thus, standards must be distinguished from the bodies that disseminate and enforce them, which may well adopt standards not to usher in change but to replicate or buttress preexisting social structures.<sup>55</sup>

When recognized as conduits of power, there is much in the current state of standards and standardization to make social scientists uneasy. The development of standards is seen as a political endeavor, and the underrepresentation and even exclusion of certain groups—whether small-scale, third world suppliers at one end of the production chain or consumers at the other—means they do not have the political power to counteract the other forces at the table. Moreover, when standards achieve either a *de facto* or *de jure* mandatory status, the connection between power and responsibility is threatened. The elected officials who are putatively responsible have very little authority to shape standards, whereas those who do shape them are effectively permitted to legislate without incurring any responsibility, a situation that is only exacerbated when the standard-

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<sup>53</sup> Anni Dugdale and Laurie Grealish, “New Modes of Governance and the Standardization of Nursing Competencies: An Australian Case Study,” in Higgins and Lerner, *Calculating the Social*, 94-111.

<sup>54</sup> Ewald, 153-54.

<sup>55</sup> For instance, Lampland, 141, remarks that the introduction of standards and social engineering in the Hungarian agricultural sector “was not a grand utopian adventure discovering new qualities in the labor force but a sustained process of scientifically vetting long-existing hierarchies of privilege and exclusion.”

makers exempt themselves from their own directives.<sup>56</sup> Andrew Barry suggests that the diffusion of the standard from the physical object approved by the sovereign in the pre-modern era to criteria which are agreed upon and replicable by anyone with the requisite resources and expertise parallels the diffusion of political power from monarchical to constitutional democracy.<sup>57</sup> Such diffusion does not eliminate power, however; it merely displaces it. As global trade accelerates, power is further diffused beyond borders, while at the same time becoming ever more detached from responsibility.<sup>58</sup>

As one might expect, this genre has also dealt more with the impact of standards on individuals and on society as a whole than does the work authored by engineers. While the latter point to the influence of Frederick Taylor and his principles of scientific management, sociologists look further back to their forebear, Adolphe Quetelet, and his statistical development of *l'homme moyen*.<sup>59</sup> Quetelet, although well aware that *l'homme moyen* had no real existence, suggested that all others could be measured against him, and thus can be considered to have instituted standards for humans. Further, even though Quetelet recognized that the mean, as a constituent of a changing population, was itself

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<sup>56</sup> Brunsson and Jacobsson, 45-48, 173.

<sup>57</sup> Barry, 62-63.

<sup>58</sup> Busch, 236-37: "It is largely a new form of governance...that contractual governance of myriad quasi- or pseudostates that complement or supersede much of the governance of the state, that produces a wide range of complex, often difficult to perceive recipes for reality. Furthermore, unlike the governance of democratic states, the new pseudostates—whether firms or voluntary organizations—usually lack judicial functions. Disputes are often handled administratively, by decision of an inspector or some other functionary in the dominant organization in the supply chain. Those who are the subjects of disputes are usually absent at the negotiations where the rules are legislated."

<sup>59</sup> Adolphe Quetelet, *Sur l'homme et le développement de ses facultés; ou, Essai de physique sociale*, 2 vols. (Paris, Bachelier, 1835).

subject to change, this standard was just as much an ideal as the physical standards found in the natural sciences; one's abnormality increased the further one deviated from *l'homme moyen*.<sup>60</sup> The moral weight of standards, therefore, is visible from the onset of the social sciences, just as it is in the natural sciences.

The classification of people according to various standards is not without its difficulties. First, there is the question of what population the standard should be drawn from. For many decades, the *l'homme moyen* was indeed a (white), adult male. Division of a population into various categories may provide some nuance, but the result is still subpopulations of standardized individuals.<sup>61</sup> A second problem lies in the tendency of standardizers to prefer quantifiable metrics for classification.<sup>62</sup> Not only can these be arbitrary and potentially misleading, but they tend to supplant human expertise, which can rely on a number of factors, many of them immensurable.<sup>63</sup> These are some of the dangers that Lawrence Busch warns of when he speaks of the potential for standards to do "violence" to people, either through exclusion or coerced conformity.<sup>64</sup> Nor does he believe this potential for violence is limited to standards directed at people; Busch claims

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<sup>60</sup> Ewald, 143-46; Stephen Epstein, "Beyond the Standard Human?" in Lampland and Star, *Standards and Their Stories*, 38-40.

<sup>61</sup> Epstein; Henman and Dean, 89-91.

<sup>62</sup> E.g., Gaillard, 12: "A standard reaches its highest degree of effectiveness when its requirements are stated in terms of measurement."

<sup>63</sup> Barry, 56-59; Heman and Dean, 86-88; Elizabeth Cullen Dunn, "Standards without Infrastructure," in Lampland and Star, *Standards and Their Stories*, 118-22; Busch 145-46.

<sup>64</sup> Busch, 222-34.

that both social and technical standards have so interpenetrated our lives that any attempt to distinguish them is artificial.<sup>65</sup>

Setting aside concerns about power and control, some social scientists also express doubts that the smooth, seamless process of standardization espoused by its proponents can ever be effectuated. Instead, they see numerous potential stumbling blocks. The introduction of social welfare requirements into the drafting of standards complicates the relatively straightforward determination of optimal economic efficiency. What is putatively a truth-seeking exercise can become much more adversarial as different interests clash, substantially altering the nature of the discourse.<sup>66</sup> Additionally, a standard constitutes a text that can be interpreted in a variety of ways; its application is dependent on those who receive it. Setting aside the difficulties presented by translation and a specialized vocabulary, if different regimes of enforcement prevail, even a standard that purports to have the same meaning everywhere can be implemented in a variety of fashions.<sup>67</sup> Finally, there is the phenomenon of “de-coupling” to contend with. A party might represent itself as following a standard while not doing so in practice.<sup>68</sup> When compliance is measured through audits of documentation rather than inspection of practice, such decoupling can be difficult to identify.<sup>69</sup>

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<sup>65</sup> Ibid., 39-42.

<sup>66</sup> Salter, 172-76

<sup>67</sup> Barry 74-75.

<sup>68</sup> Brunsson and Jacobsson, 45-6, 129-30, suggest that de-coupling is far more common than standardizers recognize.

<sup>69</sup> Bain and Hatanaka, 65-68.

### Definition and Elaboration

The foregoing review of the history and scholarship of standardization helps us to decide on working definitions of “standard” and “standardization” for this attempt to assess their applicability to the Middle Ages.

#### Definitions

As should now clear, both *standard* and *standardization* incorporate a variety of complex and oft-contested meanings, and the literature contains no shortage of definitions for each. Some limit their definition of *standard* to its traditional application to industrial production, whereas others construe standards either narrowly, considering only economic benefit, or nebulously, as “specific kind of rules.”<sup>70</sup> Although written nearly eighty years ago, no definition is more suited to the purposes of this study than that constructed by John Gaillard:

A standard is a formulation established verbally, in writing or by any other graphical method, or by means of a model, sample or other physical means of representation, to serve during a certain period of time for defining, designating or specifying certain features of a unit or basis of measurement, a physical object, an action, a process, a method, a practice, a capacity, a function, a performance, a measure, an arrangement, a condition, a duty, a right, a responsibility, a behavior, an attitude, a concept or a conception.<sup>71</sup>

The value of this understanding of standard is that it illustrates the large variety of items and activities towards which a standard might be directed, just as it encompasses the many forms a standard might take. The latter is particularly significant as this question of form contributes to the distinction between standards and norms. Norms, as

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<sup>70</sup> Borrás, 144; Burnsson and Jacobsson, 15.

<sup>71</sup> Gaillard, 33.



envisioned by Émile Durkheim, are unwritten and there is no formal mode by which they are transmitted and internalized.<sup>72</sup> Standards typically have a physical existence; even in the rare instance in which they are solely “established verbally” there must be established practices for relaying them or they will quickly lose coherence. Additional differences between norms and standards, as articulated in Gaillard’s definition, are that norms are primarily directed at people, whereas standards often deal with artifacts; while norms are anonymous, standards are produced by a recognized authority from which they gain much of their legitimacy; further, the creation of norms, unlike standards, cannot be attributed to a single location or place in time.<sup>73</sup> A final point to Gaillard’s definition is that it acknowledges the two main subcategories of standards: the physical (“a model, sample or other means of representation”) and the descriptive (“established verbally, in writing or by any other graphical method”). The distinction between the two is substantial enough that some languages use different words for each (e.g., *étalon* and *norme* in French). To this end, the ISO has suggested the adoption of *term* and *concept* to differentiate the two in English.<sup>74</sup> This usage has not found general acceptance, and in this study, “standard” will be used for both types, reflecting common parlance.

While Gaillard’s standard may appear exhaustive, even more encompassing definitions of *standardization* have been put forward. It has been argued, for instance, that “standardization, in this broader sense, is not an invention of man. Natural selection

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<sup>72</sup> Émile Durkheim, *The Rules of Sociological Method*, ed. Steven Lukes, trans. W. D. Halls (New York: Free Press, 1982).

<sup>73</sup> Brunsson and Jacobsson, 12-13; Busch 23-24.

<sup>74</sup> Spivak and Brenner, 18-19.

is a process of standardization,” although such an interpretation violates the conventional notion that standardization is a consciously directed activity.<sup>75</sup> Others have gone in the opposite direction, offering definitions that are so restrictive that they verge upon the tautological: “Standardization primarily means *the setting up of standards* by which extent, quantity, quality, value, performance, or service, may be judged or determined.”<sup>76</sup>

A happy medium has been reached by the ISO, which defines standardization as the:

activity of establishing, with regard to actual or potential problems, **provisions** for common and repeated use, aimed at the achievement of the optimum of order in a given context. Note 1: In particular, the activity consists of formulating, issuing and implementing **standards**.<sup>77</sup>

This definition has the value of emphasizing all three of the stages (“formulating, issuing and implementing”) that are vital components of standardization. While there is a tendency to focus on formulation, these other elements, as has already been suggested, are of equal importance in assuring successful standardization.<sup>78</sup> Thus, any attempt to measure its extent or nature must account for all three of these elements.

The phrase “optimum of order” in the ISO definition is, on the other hand, a bit limited for our needs, as it still suggests that the aim of standardization is nothing more

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<sup>75</sup> Perry, 124. See also Sanders, 3: “What more wonderful example is there of a precise industrial standard than the swallow’s nest or the bee’s honeycomb—or of the discipline of standardization than the work of bees, ants or beavers?”

<sup>76</sup> Harriman, 78, emphasis in original.

<sup>77</sup> *Standardization and Related Activities—General Vocabulary*, ISO/IEC Guide 2:2004, parallel English, French and Russian text, 8<sup>th</sup> ed. (Geneva: International Organization for Standardization, 2004), 4, emphases in original.

<sup>78</sup> Sanders, 12: “The mere publication of a standard is of little value unless it can be implemented;” this is the third of seven principles of standardization established by Sanders. Note also Hesser and Inklaar, 58-61, 203, on the similarities between issuing and implementing voluntary and mandatory standards.

than the successful implementation of standards. This begs the question of what, if any, broader ends, beyond increased economic efficiency, are standards and standardization directed towards. I have encountered no definition that considers this question; this may be an indication that the variety of possible ultimate ends is too great to be easily enumerated.<sup>79</sup> Nonetheless, one goal of this study is to identify the purposes for which standardization might have been employed in later Anglo-Saxon England.

### *Subsidiary Definitions*

Two other terms employed in this paper, each with a specialized meaning when applied to standards and standardization are:

*Subject*—*The item or activity at which a standard is directed.* This definition is an adaption of Verman's "subject," which occupies the X-axis on his projected standardization space.<sup>80</sup> The primary subjects discussed in this dissertation are coinage, legislative texts and monastic practice.

*Aspect*—*One of a number of elements of a subject, each of which may or may not be governed by standards.* This also reflects the usage of both Verman and the ISO.<sup>81</sup> Most subjects will have a very large number of aspects. For instance, among a coin's are design, shape, weight, size, composition, and attribution. The determination of which

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<sup>79</sup> Sen, 389-90, does consider some of these broader aims, but only by employing a conception of standardization that includes processes such as "natural evolution," "custom" and "common consent."

<sup>80</sup> Verman, 48, "Almost any material, process, or action having an economic value or even cultural value for which a standard can be usefully written has a legitimate claim to be assigned a point on the X-axis." The ISO has adopted Verman's usage, *Standardization and Related Activities*, 4.

<sup>81</sup> Ibid.

aspects of a given subject to standardize is controlled by technological, economic and social concerns, as well as the ultimate goal that the standards are designed to further.<sup>82</sup>

### Principles

These definitions, and the history and literature review that precedes them, suggest a process of standardization that is considerably more sophisticated and nuanced than is commonly understood. This process embodies many principles, which are set forth here. Most would gain broad acceptance among those who have written on standards and standardization; a few of the more contested points are reserved for the end.

#### *Plurality of Subject and Standard Maker*

A standard cannot apply to a single individual or artifact; any subject denotes a group containing multiple members. Defining something in terms of a standard implies the existence of comparable objects which can also be related to that same standard. Thus, one does not speak of a standard for “this coin,” “this building” or “this monk.” Instead, the coin, building or monk is assessed according to a standard which regulates other coins, buildings or monks. The corollary of this principle is that a historian cannot infer standards solely from a single surviving member of a group, particularly in the absence of evidence that explicitly prescribes them; instead, several objects must be compared with one another to deduce what standards might have governed them.

Just as the standard applies to multiple members of the same subject group, the standard itself is designed, applied and enforced through the collaborative effort of multiple individuals. Standards are the manifestation of a negotiated, social process, and

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<sup>82</sup> Note the discussion on pp. 35-36.

one of their defining characteristics is that their articulation (Gaillard's "formulation") is readily comprehensible and easily communicated to and utilized by others. Strictly speaking, a "personal standard" is an oxymoron.<sup>83</sup>

### *The Limitation of Standards*

Any standard must regulate something that can be measured or monitored in order to determine whether or not the subject is in compliance. With artifacts, this process is fairly easy; a coin, for instance, can be assessed as to its appearance, weight, purity, etc. For individuals, however, there are limitations. A monk's behavior can be subject to standardization—and this is the aim of the majority of the dictates arising from the Benedictine reform—but his internal state cannot. Nor can one draw inferences about this state on the basis of what can be observed.<sup>84</sup> Thus, for instance, standards cannot dictate emotions, although they can regulate the expression of emotions.

### *The Impermanence of Standards*

Additionally, and perhaps counterintuitively, standards, although they create a fixed set of criteria that can be measured or monitored, are not in themselves fixed. Standards can, and indeed must, be adjusted over time to reflect shifts in policies, expectations and

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<sup>83</sup> *Pace* Verman, 48-50, in which the individual is the first step on the z-axis, where is succeeded by the company, industry, national, regional and global levels. After defining it, however, Verman says nothing further about this lowest level. Subsequent treatments that have incorporated Verman's model have similarly passed over the individual.

<sup>84</sup> Ewald, 155-56, "The normative gaze does not seek to penetrate to the inner substance of things. Instead, it remains on the level of pure facticity, never going beyond this to obtain a deeper appreciation of its objects. Facts are sufficient in themselves; they simply exist, neither as appearance or essence. Processing them is not a question of unmasking them or interpreting them because for the normative way of seeing, a fact refers to other facts, and not to an original cause."

capabilities.<sup>85</sup> (The ISO mandates a review of each of its standards at intervals of no more than five years, although this review need not result in the creation of a revised standard, and instead may reaffirm the existing one.) Therefore, as the title of this dissertation suggests, it is more useful to think of standardization as a continual process instead of looking for a series of discrete points, such as the date when the need for standards is first discussed, the date on which they are instituted and the date on which widespread compliance with the standards is achieved. An undue emphasis on any of these, and particularly on the last, can be misleading, given the ongoing and evolutionary development of standards. In participial terms, it is more accurate to speak of “standardizing” than “standardized.”

*Standardization Need Not Imply Uniformity*

As has been recognized since the earliest writing on the subject, “*standardization is a means and not an end.*”<sup>86</sup> The end purpose of any standard is performance, that is, trying to bring about a desired result, and the process by which this performance is achieved is subsidiary.<sup>87</sup> Therefore the focus of standardization is functional, not formal. Variation is frequently allowed for, so long as the items or behaviors in question are directed towards

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<sup>85</sup> Verman, 38, “A standard is a live organism and, in common with other forms of life, it is subject to continual change and adaptation so as to remain in harmony with its environment and maintain its utility to the community it serves;” Sullivan, 27-28, “A standard that is not changed and updated at frequent intervals becomes an increasingly ineffective document...a standard is a ‘living’ entity.”

<sup>86</sup> Harriman, 86, emphasis in original. See also, Keith B. Termaat, “Strategic Standardization in Heavy Industry,” in Spivak and Brenner, *Standardization Essentials*, 121, “Standardization is not primarily a technical exercise. Standardization is a technical means to achieve policy/strategy objectives.”

<sup>87</sup> Gaillard, 1, 12.

the same end.<sup>88</sup> Consequently, the notion that standardization is invariably at odds with diversity needs to be discarded. On the contrary, a key function of standardization is to better integrate variant practices with each other, without eliding their distinctiveness, a practice commonly referred to as “harmonization.”<sup>89</sup> One way of grappling with this diversity is to impose distinct standards on a variety of subgroups within a larger, defined group.<sup>90</sup> Thus, for instance, in the case of monastic practice, we see explicit acceptance of some diversity in practice, whether justified by regional difference, longstanding tradition or practical necessity, but the variant practices are themselves standardized. To be sure, standardization and uniformity **are** often interchangeable.<sup>91</sup> The standardization of the coinage, for instance, should lead to a more closely identical coinage (at least among those aspects of the coinage that are subject to standards.)

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<sup>88</sup> Sanders, 6-7, 19, notes that the ISO defines this as the principle of “Functional Interchangeability,” arguing that an article need not be constructed in the same fashion as another, and that so long as the two can perform the same function they meet the same performance standard. Similarly, the complementary term, “Dimensional Interchangeability,” refers to items built to the same external specifications, but even here their internal construction need not be the same as long as they can perform the same function. See also Brunsson and Jacobsson, 148, on standardizing function vs. form, and their differing effects on uniformity.

<sup>89</sup> Spivak and Brenner, 2, “Standards are not monolithic, nor are they of the same general type, acceptance or function. Indeed, much of the current work of standardizers is aimed at somehow harmonizing or rationalizing the diversity among national, regional, and international standards.” *Standardization and Related Activities*, 26, offers the following definition for harmonized standards: “standards on the same subject approved by different standardizing bodies, that establish interchangeability of products, processes and services, or mutual understanding of test results or information provided according to these standards NOTE: Within this definition, harmonized standards might have differences in presentation and even in substance, e.g., in explanatory notes, guidance on how to fulfill the requirements of the standard, preferences for alternatives and varieties.” See also Barry 73, on the distinction between harmonization, standardization and uniformity.

<sup>90</sup> Epstein, 50, describes such attempts to regulate diversity without abolishing it as “niche standardization.”

<sup>91</sup> Brunsson and Jacobsson, 138-50, explores the connection between the two.

*The Inherent Incompleteness of Standardization*

Although the universe of such aspects is vast, standardization does not touch on all aspects associated with a given subject. For instance, in reference to the silver pennies that were the primary currency of England during the period under discussion, there is evidence of standards regulating their weight, size, purity of the metal, design and the presence of both the location of the mint where they were struck and the name of the moneyer who struck them on the coin. On the other hand, there is no evidence for standards dictating the die-axis (i.e., the alignment of the obverse with the reverse) of these coins. Broadly speaking, there are two possible explanations for such omissions, neither of which need exclude the other. First, some aspects of a subject might be considered immaterial to the functional goal that standardization was intended to further, and thus not be regulated. For instance, although older legal texts were updated and revised in several ways to bring them into agreement with current standards, there is no evidence of any attempt to rationalize their orthography. If one were to contend, as I do, that one of the purposes of this updating was to make these older texts accessible and acceptable to a contemporary audience, it would follow that consistency in spelling, as opposed to consistency in script, syntax or vocabulary, was not deemed significant by this audience—and, in fact, legal codes composed in this later period display similar irregularity. In theory, then, the aspects that are and are not standardized may be suggestive of the functional purpose of standardization.

The second reason for omitting standards for certain aspects of a subject is that such standards, while desirable, might be either unobtainable from a technical standpoint, or,



at best, unfeasible. This is not to say that a standard governing a given aspect is inconceivable, only that in practice it would be difficult, if not impossible, to implement. Returning to legal codes, the texts which adjoin them in their various manuscripts show a substantial degree of variation in subject matter and presentation. Of the four manuscripts that are examined in this study, only the latest (British Library, MS Cotton Nero A.I.a) shows any consistency in purpose and production. It is a collection exclusively of legal codes, with all scribes conforming to a common layout. Such regularity may well have been desirable for all manuscripts, but their arrangement would have been constrained by the limitations of the various scriptoria in which they were produced. Standards enjoining compliance in such cases could, of course, still be promulgated, but they would have little effect in practice; attempts to enforce unattainable standards might tend to bring the general course of standardization into disrepute.

### *The Inherent Imperfection of Standards*

A technological inability to govern certain aspects of a subject is just one of the potential restrictions on standardization. Standards, both in their formulation and in their implementation can never embody the ideal.<sup>92</sup> Instead, their creation and application are bounded by a series of factors, some easily recognized, and some hidden. Three of the most critical involve the inherent limits to precision in measurement, the compromises necessary in order to obtain a standard on which all can agree and the extent to which the standard to be adopted is the product of earlier events.

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<sup>92</sup> Harriman, 79, “*The idea of perfection is not involved in standardization,*” emphasis in original; Sullivan, 25, “*There Are Very Few, If Any, Perfect Standards...*[a standard is] a document which in effect is a document known to be imperfect, yet acceptable at the time for the purpose for which it was produced,” emphasis in original.

## Measurement

Egregious failures to comply with a standard are easily recognized, but this is less so of marginal cases. While standards might dictate a precise number for the length or weight of a certain object, this exactitude cannot be achieved in production, even with contemporary technology.<sup>93</sup> The tools of assessment, whether they are weights, measures or left to individual judgment, are similarly limited. In most cases the weights and measures will be copies, or, more likely, copies at several removes, of some master standard, and errors of replication can be inherited and compounded in the creation of each copy.<sup>94</sup> This is no less a concern when the assessment is based not on quantifiable metrics, but on human perception. People can only render judgment according to their levels of experience and the training they have received, and even the same individual might reach different conclusions in identical instances based on a host of extraneous factors. Such variations need not reflect bias on the part of the examiner any more than failure to achieve a standard reflects malfeasance on the part of the producer. They do explain, however, why a seemingly wide variety of discrepant items or behaviors could be judged to have met the same standard. The tolerance for such discrepancies represents a tacit compromise between the ideal as articulated in the standard and the exigencies of manufacture and instruction. The degree of tolerance, even if it was not explicitly

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<sup>93</sup> Sanders, 95, notes that modern standards account for this by prescribing the permitted degree of tolerance. The standard length for a certain type of bolt, for instance might be 5cm,  $\pm$  0.2mm.

<sup>94</sup> Perry, 148-49. An analogous process is evident in the copying and recopying of a text. Just as with the master standard, errors accumulate based on the number of removes a text is from the original (master) archetype.

acknowledged, must have been greater in a period when the techniques of production and the instruments of assessment were far less precise than they are today.

### Consensus

Not only the technological limitations on their implementation, but also the standards themselves are necessarily the product of compromise. Since the inception of the modern era of standardization, a desire for consensus has been a hallmark of the standards-making process.<sup>95</sup> Achieving consensus, as opposed to letting the will of the majority prevail, may be more time consuming, but it provides some assurance that all parties are content with the final product, and will willingly participate in its implementation.<sup>96</sup> The ISO is very careful to define what consensus is and is not:

General agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments. NOTE: Consensus need not imply unanimity.<sup>97</sup>

In practice, of course, some parties have considerably greater influence than others on the form that consensus eventually takes. Nevertheless, the notion that all are expected to compromise their positions to some degree leads to a less hierarchical process. In addition to involving all interested parties, the appearance of consensus also serves to

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<sup>95</sup> Ewald, 148, observes that the need for consensus is integral to the discourse of normalization.

<sup>96</sup> Verman, 130-31.

<sup>97</sup> *Standardization and Related Activities*, 8. Also note Sullivan, 26-27: “A unanimous agreement is one where everybody agrees with what the standard says, the way it was written, and the belief that it will achieve the objectives for which it was written. ... Generally speaking, there probably never has been a totally unanimous document. ... What the committee is after is a general agreement among all the members that the document is a good, not necessarily a perfect, expression of the intended control and can reasonably be expected to function satisfactorily in avoiding or solving the problem toward which it was directed.”

confer legitimacy on the standard they produce. In this sense, consensus serves a function very similar to that described by Susan Reynolds in her treatment of early medieval rule. Reynolds contends that, particularly before the recrudescence of town life in the ‘long’ twelfth century, principles of consultation and consensus were critical to decision making.<sup>98</sup> An examination of the consuetudinary known as the *Regularis Concordia* will provide an opportunity to observe the rhetoric of consultation and consensus in the standardizing of monastic practice.

#### Standards as a product of the past

The need to achieve consensus is not the only constraint on the production of standards. The creation of each standard is embedded in a long series of historical decisions that have led to particular results. Economists refer to this as “path dependency,” and Paul David has done much to illustrate the significance of path dependence to the formation of standards.<sup>99</sup> David contends that often this path dependency results in sub-optimal standards which, over time, require an ever-greater expenditure of resources to reverse. Further, he holds that in some instances a reluctance to appropriate such resources allows these standards to endure, despite their known

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<sup>98</sup> Susan Reynolds, *Kingdoms and Communities in Western Europe, 900-1300*, 2<sup>nd</sup> ed. (Oxford: Clarendon, 1997). Reynolds argues that towns were more likely to make decisions by a majority, devaluing consensus and accepting a degree of disunity. Levi Roach, *Kingship and Consent in Anglo-Saxon England, 871-978: Assemblies and the State in the Early Middle Ages* (Cambridge: University Press, 2013), is a recent exploration of the creation of consensus within the confines of the Anglo-Saxon royal assembly, or “*witan*.”

<sup>99</sup> Paul David, *Path Dependence: Putting the Past into the Future of Economics*, The Economics Series, Technical Report 533 (Stanford, CA: Institute for Mathematical Studies in the Social Sciences, 1988); idem, “Path Dependence, its Critics and the Quest for ‘Historical Economics,’” in *Evolution and Path Dependence in Economic Ideas: Past and Present* eds. P. Garrouste and S. Ionnides (Cheltenham: Edward Elgar, 2001), 15-40; and idem, “Path Dependence: A Foundational Concept for Historical Social Science,” *Cliometrica* 1 (2007): 91-114, trace David’s development of this idea.

deficiencies, until the status quo is disturbed by some exogenous event. Absent such a disturbance, lesser, but still considerable amounts of capital and energy will be spent in attempts to ameliorate these inefficiencies.<sup>100</sup> (If the original standards are sufficiently entrenched, their prescribed revision is more likely to take the form of such amelioration rather than a wholesale revamp.) Although David's conceptions of path dependency and its potential costs have not gone uncontested, his arguments have found wide acceptance.<sup>101</sup>

A tangible example of the effect of path-dependency on standards can be found in the enduring preeminence of the QWERTY keyboard, which was laid out with the keys most likely to be struck in a sequence as far away from each other as possible so as to prevent jamming of the type bars that were employed on the earliest machines.<sup>102</sup> Improved designs made such constraints unnecessary within a couple of decades. Nevertheless, in spite of the demonstrably superior arrangements that were devised and marketed, the standard QWERTY keyboard prevails to this day. Resistance to change served as a significant source of inertia, regardless of both the well-known comparative inefficiency

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<sup>100</sup> Pargman and Palme, 186: "In the real world, we are restricted by decisions that were made long ago and by the resulting inertia that has accumulated over the decades. The most common solution is to patch things and to hobble along."

<sup>101</sup> Stan J. Liebowitz and Stephen E. Margolis, "Path Dependency, Lock-in and History," *The Journal of Law, Economics and Organization* 11 (1995): 205-26. The primary objections to David's claims are that they call into question the notion of rational economic behavior and that the resultant inefficiencies represent a failure of the unrestrained market for which the neoclassical model does not allow.

<sup>102</sup> Paul David, "Understanding the Economics of QWERTY: The Necessity of History," in *Economic History and the Modern Economist*, ed. William Parker (Oxford: Blackwell, 1986), 30-49. Stan J. Liebowitz and Stephen E. Margolis, "The Fable of the Keys," *The Journal of Law and Economics* 33 (1990): 1-26, is a somewhat tendentious response that questions whether the QWERTY keyboard is significantly inferior to any proposed replacement.

of QWERTY and the relatively minor amount of investment needed to convert equipment and trained typists to the new standard.<sup>103</sup>

Conceptual standards can be similarly burdened by history. The first attempts to introduce the metric system in the United States date back to the eighteenth century.<sup>104</sup> As the nineteenth century drew to a close, the growing significance of international trade, coupled with the increase in the number of countries adopting the metric system provided a fresh stimulus to the American metric movement. Despite the apparent advantages, resistance to change kept the country on the imperial system. As the pace of industrialization accelerated, along with the concomitant costs that would have been incurred in making a switch, this opposition hardened.<sup>105</sup> In the early 1970s, as the United Kingdom and the other members of the Commonwealth were changing over, it once again seemed like the metric moment had finally arrived for the United States, and Verman anticipated that in a short while there would be worldwide acceptance of a single system, “a real triumph for the originators of the metric system and a blessing for the

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<sup>103</sup> David, “Economics of QWERTY,” 33, notes a US Navy study of the 1940s which demonstrated that the expense of retraining QWERTY typists to the Dvorak Simplified Keyboard was recouped by their increased performance within ten working days.

<sup>104</sup> Perry, 61-92.

<sup>105</sup> Ibid., 91: “This is the only real issue: the merits of a superior system versus the costs and difficulties of change. ...The cost of change in 1790 would have been insignificant by comparison with the cost today [1955]. It would have been little higher in 1821 when [John Quincy] Adams expressed his doubts. In 1866 this was still an agricultural nation. Even in 1902 industry was not so highly standardized and integrated that change would have been unduly burdensome. In 1921 the stakes were higher, but they were not one-fifth as high as the stakes today. At that time the cost of change seemed too staggering to undertake it. But it has increased each year since then.”

human race,” but the traditional imperial weights and measures are still entrenched to this day.<sup>106</sup>

For the purposes of this study, the technological restrictions and economic costs imposed by path dependency are less significant than the social, cultural and political ramifications. David posits that the most substantial and enduring inefficiencies would be experienced when the subject “has become highly elaborated and deeply embedded in numerous activities throughout the economy and society.”<sup>107</sup> The issues to be examined, of central importance to the crown and church, fit this criterion well. It may be difficult to assess the degree to which the standards of tenth-century England were constrained by decisions taken generations, if not centuries, earlier. Nevertheless, in evaluating those standards, the possibility of such constraints must be kept in mind.

Given these technological, social and historical restrictions, caution must be exercised in assessing the “success” or “failure” of any attempt to implement new standards. The degree of variance from a standard may be an indicator of the intensity with which these standards are being promoted and enforced. Similarly, fluctuations in this variance may suggest periods of greater or lesser intensity of promotion or enforcement. Nonetheless, we would not expect absolute adherence to a standard at any time, regardless of the fervor with which it is promulgated and promoted.

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<sup>106</sup> Verman, 199.

<sup>107</sup> David, “Path Dependence: A Foundational Concept,” 18. Although Davis doesn’t address the metric question, any commonly accepted system of weights and measures would certainly qualify as such a subject.

### *Standards and Morality*

Given the numerous limitations just described, one must be cautious before concluding how clearly a set of standards reveals the goals and ideals of those who developed them.<sup>108</sup> Nonetheless, as has already been noted, much of the authority of standards is vested in their perceived moral character. Daston suggests that the valorization of objectivity—that quality that gives standards such a character—dates from the transformation of the natural sciences at the end of the eighteenth century.<sup>109</sup> Verman and Busch, however, each note the sanction of true measures and opprobrium applied to those employing false ones, present not only in the Bible, but also the Koran, the Sanskrit Rig Veda and the Analects of Confucius, indicating that the appreciation of standards as more than simply an aid to commercial exchange is both widespread and of great antiquity.<sup>110</sup> Representative of the biblical verses are Deuteronomy 25:13-15: “You shall not have unlike weights in your bag, a greater and a lesser. Nor shall there be in your house a greater modius [a unit of capacity] and a lesser. You shall have a just and true weight and your modius shall be equal and true;” and Proverbs 11:1: “A deceitful scale is an abomination before the Lord and an equal weight his will.”<sup>111</sup> While there is no

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<sup>108</sup> Pargman and Palme, 186: “Standardization is only the *process* of negotiating, deciding and enforcing one solution rather than another, but the process of standardization itself has very little to say about which values are more important than others, beyond the simple axiom that any solution that can be agreed on is better than having different parallel and competing solutions;” Starr and Lampland, 14.

<sup>109</sup> Daston, 612-14.

<sup>110</sup> Verman, 6-7; Busch, 81-82.

<sup>111</sup> In the Vulgate, Dt: “Non habebis in sacco diversa pondera, maius et minus. Nec erit in domo tua modius maior, et minor. Pondus habebis iustum et verum, et modius aequalis et verus erit



evidence that any of these verses were subject to particular attention by Anglo-Saxon authors, the principles they embody are paralleled in the kingdom's legislation.<sup>112</sup>

Moving beyond scriptural sources, there are some tantalizing indications that the perception of standards was not wholly positive. The first-century historian Josephus wrote of Cain, "and by the invention of measures and weights he transformed the simple life with that [*sic*] men had previously lived, leading into knavery their life, that had been guileless and magnanimous owing to their ignorance."<sup>113</sup> Clearly, standards could be associated with deception, corruption and low cunning. Combining their rather ignominious origin with the injunctions to hold to "true" standards, they can be seen as an unfortunate but necessary consequence of the Fall; prelapsarian humanity would have had no need for standards.<sup>114</sup>

The final two principles to be discussed here are more controverted than those addressed so far, but as they entail points that are central to this study, they need to briefly be acknowledged.

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tibi;" Prv: "Statera dolosa abominatio est apud Dominum, et pondus aequum voluntas eius." See also Lv 19:35-36, Prv 16:11 and Ez 45:10 and the passages cited below, p. 72.

<sup>112</sup> A search of the *Fontes Anglo-Saxonici* (<http://fontes.english.ox.ac.uk/>, accessed August 2013) indicates that none of these verses was drawn upon by Anglo-Saxon authors. Ursula Lenker, *Die westächsische Evangelienversion und die Perikopenordnungen im angelsächsischen England* (Munich: Fink, 1997), 327, 330, finds no instances in which any of these verses was the pericope for a Sunday or a significant feast day. In sum, while no doubt familiar, there is no evidence that these dicta were stressed to Anglo-Saxon audiences. On weights, measures and Anglo-Saxon law, see Chapter One, pp. 69-78.

<sup>113</sup> *Flavius Josephus: Translation and Commentary*, ed. Steve Mason, vol. 6, *Judean Antiquities 1-4*, trans. and comm. Louis M. Feldman (Brill: Leiden, 1999), 1:61.

<sup>114</sup> If this interpretation is valid, standards are strikingly similar, both in origin and function, to hierarchy and dominion as envisioned by Augustine of Hippo, particularly in his *City of God*.

### *Voluntary vs. Mandatory Standards*

Unquestionably the most divisive issue for those who have written on standardization is whether standards should be, or even can be, mandatory, or whether compliance with them is always voluntary. Differences of opinion on this matter do not align with the distinction between engineers and social scientists; there are adherents of both views in each category. The various arguments can be summarized by two key questions: 1) Under what conditions, if any, are mandatory standards appropriate? 2) Are mandatory standards possible, and, if so, in what ways can they be distinguished from laws? Each question needs to be examined separately.

As has been indicated, many of the proponents of voluntary standards are American, or are influenced by the American experience of standards, which has given private industry a freer hand than in any other developed country.<sup>115</sup> Advocates of voluntary standards also endorse the neoliberal position of looking to an unconstrained market, supported by informed and empowered individuals, not only to maximize economic efficiency, but also to address concerns about consumer health and product safety. (They also believe that recent disputes, such as that between the United States and the European Union over hormones in cattle and genetically modified organisms, demonstrate how arbitrary such a distinction is, claiming that purported health concerns were used as a pretext for erecting trade barriers.<sup>116</sup>) They are opposed by those who contend that the

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<sup>115</sup> Salter (Canada), Hesser and Inklaar (Germany), and Barry and Borrás (the European Union) explore individual non-American experiences of standardization. For a general overview of different countries, Verman, though dated, is still valuable.

<sup>116</sup> Barry, 51; Borrás, 186-90, 196-99.

state's legitimate interest in protecting its citizens requires its influence on the creation and enforcement of standards insofar as they affect a range of issues including physical wellbeing, social welfare, environmental protection, economic independence and international competitiveness. Those who hold this position express dismay at the recent dramatic expansion of global trade, to which they attribute a diminution of the state's regulatory power, including its role in standardization.

Despite their differences, both sides agree on several points. They share a consensus that there are some instances, such as the establishment and maintenance of reliable physical standards, in which the weight of the state's authority is of particular benefit.<sup>117</sup> (Indeed, even Friedrich Hayek, the purported father of neoliberalism, saw the institution of standards of measure as proper to the state in its function as protector of the market.<sup>118</sup>) Further, proponents and opponents of mandatory standards concur that distinguishing them from voluntary ones is often academic. Absent outside interference, the market tends to make voluntary industry standards *de facto* mandatory.<sup>119</sup> Additionally, in many instances the drafting of standards involves such a mix of public and private interests that the result is a hybrid, with both mandatory and voluntary characteristics.<sup>120</sup>

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<sup>117</sup> Harriman, 81, "The *fixing by authority and enforcement* of standards of length, capacity, weight, time, money, quality, purity, etc. is universally regarded as one of the elementary functions of the governments of all civilized countries." Emphasis in original. Verman, 196.

<sup>118</sup> Friedrich Hayek, *Law, Legislation and Liberty*, vol. 3, *The Political Order of a Free People* (Chicago: University Press, 1979), 43-44. Anglo-Saxon efforts to promote and protect weights and measures are taken up in the first part of Chapter One, pp. 69-78.

<sup>119</sup> Sullivan, 36-39; Salter, 163; Busch 26.

<sup>120</sup> Salter, 178-80; Hesser and Inklaar, 50.

While the opposition to mandatory standards among those who prefer market-driven approaches is substantial, it comes with an implicit acknowledgement that mandatory standards are at least possible, and, in certain cases, even desirable. More problematic is the contention that once standards are made mandatory, they are no longer standards. Instead, they function as laws, whether they are described as “regulations,” “directives,” or something else.<sup>121</sup> There are two possible responses to this objection, neither wholly satisfactory. The first entails a broader conception of standards than that which has been advocated here. Busch, for instance, regards law as a type of standard, one designed not for industrial production, but for the production of a society.<sup>122</sup> This taxonomy fails to account for apparent differences between the two categories; laws, for example are largely proscriptive, whereas standards are prescriptive. A second option is to focus not on the coercive character that laws and mandatory standards share, but on the differences in their creation. François Ewald contends that an essentialist approach to law and mandatory standards is misleading, and it is their production that distinguishes them. While the law traditionally embodies the will of the sovereign, the standard represents the painstakingly negotiated consensus of all parties.<sup>123</sup> For Ewald, law, as a pillar of the juridical regime, has been largely supplanted. While laws endure in the normative

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<sup>121</sup> Brunsson and Jacobsson, 134-35, Sullivan, 9.

<sup>122</sup> Busch, 305-06.

<sup>123</sup> Ewald, 152: “Standardization is not a form of legislation, nor can it be carried out by decree. In other words, standardization is not a state function. Rather, it presupposes the creation of associations where all interested participants—producers, consumers, engineers, scientists—can negotiate the common standards according to their respective requirements. There is a kind of democracy specific to the standardization process.”

regime, there are no legislators; instead of reflecting fundamental principles, laws constitute regulations, negotiated like any other standard.<sup>124</sup>

These arguments matter because it is difficult to see how standards could operate in Anglo-Saxon England without some enforcement on the part of the crown or the church. Both its market and its consumers operated in a very different environment from that envisioned in neoliberalism. For the purposes of this discussion, it will be assumed that “mandatory standard” is not a contradiction in terms. In so doing, we can derive some support from Verman’s observation that a government’s responsibility to direct standardization is greater in less-developed countries, where the populace lacks the experience necessary to assuming that role for itself.<sup>125</sup> In early medieval England, only the church and state—and often some admixture of the two—had the necessary resources, organization and institutional memory to undertake a kingdom-wide program of standardization.

### *Standards, Standardization and Anachronism*

Ewald’s treatment of standards implies that they succeed laws; laws are associated with the monarchical, juridical regime, which is replaced by the normative society that flourishes under constitutional democracy. This raises an issue that is fundamental to the project at hand: can standards and standardization be attributed to pre-modern societies at all? Ewald himself contends that they can, because “[n]o society can exist without something akin to this common standard, a common language that binds individuals

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<sup>124</sup> Ibid., 157: “The norm eliminates within law the play of vertical relations of sovereignty in favor of the more horizontal relations of social welfare and social security.”

<sup>125</sup> Verman, 210, 307. See also Sanders, 14.

together, making exchange and communication possible. The norm is one part of a long history of the common standard, a lesser instance of a larger category.”<sup>126</sup> This opinion is not universally shared. Given that standards depend on phenomena that can be measured and monitored, it follows that standards cannot be developed for a given subject until techniques of measurement or habits of monitoring are in place. For instance, Judith Treas argues that inattentiveness towards chronological age prior to the eighteenth century precluded the development of age-based standards.<sup>127</sup> More generally, it has been asserted that a program of standardization could not be pursued before a concern for reliable measurement and regular monitoring had been inculcated in those who would be responsible for administering and enforcing such a program.<sup>128</sup> Others claim that the “story of standards goes back to the dawn of civilization.”<sup>129</sup> The chapters in this study are designed to put this question to the test, attempting to apply an understanding of standards and standardization as they have been defined and detailed here to the society of tenth- and eleventh-century Anglo-Saxon England, and determining whether such an application of these concepts has the potential to provide a new perspective on that society. We shall find that, indeed, it does.

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<sup>126</sup> Ewald, 159.

<sup>127</sup> Judith Treas, “Age in Standards and Standards for Age: Institutionalizing Chronological Age as Biological Necessity,” in Lampland and Star, *Standards and Their Stories*, 65-70.

<sup>128</sup> Sanders, 27

<sup>129</sup> Busch, 83. Similarly, Lampland and Starr, 10: “Standardization is *not* exclusive to modernity per se.” Emphasis in original.

### **Late Anglo-Saxon England: A Brief Overview**

That society is the subject of this section. There is no attempt here to provide a comprehensive treatment of all aspects of tenth- and eleventh-century England—each chapter is distinctive enough to warrant its own historiographical review. Instead, what follows is a survey of key political and social developments in this period.

The time-frame denoted by “Late Anglo-Saxon England” runs from 899-1066. As with all periodization, the selection of these two dates is arbitrary, but it is not capricious. They signify two events that bookend this period. The first is the death of King Alfred of Wessex. At the time of Alfred’s birth, there were several autonomous Anglo-Saxon kingdoms within England, a situation that had obtained for at least three hundred years. The Scandinavian incursions of the latter half of the ninth century eliminated the others and put severe pressure on Wessex before Alfred was able to secure both a peace and his kingdom’s survival. Under Alfred’s son, Edward ‘the Elder’ (899-924), and later his grandson, Æthelstan (924-939), the political authority of Wessex spread and, by 927, it was—at least nominally—coterminous with all of Anglo-Saxon England. Although it experienced no shortage of political unrest, both internal and external, this new kingdom endured until 1066, when a victorious William of Normandy absorbed it into his domains. William’s Conquest marked more than just a change of dynasty. Both he and his successors tried to integrate England and their Continental possessions.<sup>130</sup> Thus, the

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<sup>130</sup> In this sense, the Normans differed from Cnut, who ruled England from 1016-35. Cnut’s rule was imperial, insofar as he made little attempt to conform England to his Scandinavian possessions. With few exceptions (e.g., the replacement of the Anglo-Saxon ealdorman with the more powerful earl) his lands enjoyed different political and legal systems, used different languages, and had churches that were independent of one another. M. K. Lawson, *Cnut: The*

period in question marks the only span within several hundred years in which England maintained a unified, discrete political existence.

This continued political cohesion should not be taken for granted. The new kingdom of England extended to many areas which had long-established traditions of self-rule. Further, its populace constituted not just the descendants of the Angles, Saxons and other Germanic peoples that had migrated some centuries earlier, but indigenous Britons and newly arrived Scandinavians. The resulting tangle of various regional and ethnic identities presented a serious challenge to any pretense of unity. England's neighbors also provided ample evidence that stability was anything but assured. Across the Channel, the breakdown of the Carolingian Empire, a process that began in the mid-ninth century, continued through most of the tenth, marked in the former empire's western half by a progressive devolution of power to the level of the local castellan. Although the eastern half retained central authority through the tenth century, a similar process overtook it in the eleventh and twelfth centuries. There is no obvious reason why England should have escaped such a fate. It cannot be a mere matter of size; continental fragmentation continued after the two halves of the empire splintered into duchies, counties and principalities commensurate with—and often much smaller—than England. In the period under discussion, the kingdom was twice divided. Rebellion, particularly in the north, was a constant threat. Every succession from the death of Edgar in 975 to the Conquest in 1066 was contested, and the kingdom was successfully invaded three times, leading, in the first instance, to the reigning king's flight from the country, and, in the latter two, to

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*Danes in England in the Early Eleventh Century* (New York: Longman, 1993), explores Cnut's accommodation of Anglo-Saxon institutions.



the installation of new, foreign dynasties. A major challenge for historians, then, is identifying the factors that contributed to England's endurance as a political entity.

One factor could be found in this entity's mechanisms of governance. Until recently, scholarship on Anglo-Saxon England was shaped by a long-lived historiographic tradition which saw its kings as weak and its institutions as ineffective, and, above all, static.<sup>131</sup> Within the last generation, this tradition has come under attack; a new interpretation, often referred to as the "maximalist" position, finds extensive efficiency, innovation and strength in the government in the last century of Anglo-Saxon England.<sup>132</sup> These claims have not gone unchallenged. The very term "maximalist" was first used in a mildly pejorative sense to characterize those who find greater strength of Anglo-Saxon kingship and royal government than skeptics think the evidence warrants.<sup>133</sup> This dispute is enmeshed within a larger controversy over how we should regard government in the Middle Ages. It has been argued that reference to a medieval state "bestows an almost

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<sup>131</sup> Typified in Frederick Pollock and Frederic Maitland, *The History of English Law before the Time of Edward I*, 2<sup>nd</sup> ed. 2 vols. (Cambridge: University Press, 1895), and, more recently, Frank Stenton, *Anglo-Saxon England* 3<sup>rd</sup> ed. (Oxford: Clarendon, 1971).

<sup>132</sup> Eric John, *Orbis Britanniae, and Other Studies* (Leicester: University Press, 1966), was a harbinger of the movement, but most significant has been the work of James Campbell, whose *The Anglo-Saxon State* (London: Hambledon, 2000), collects a dozen of his most seminal articles. Patrick Wormald, *Legal Culture in the Early Medieval West: Law as Text, Image and Experience* (London: Hambledon, 1999), is another collection in this vein.

<sup>133</sup> Paul Hyams, "Feud and the State in Late Anglo-Saxon England," *Journal of British Studies* 40 (2001): 2-3. Hyams adapted the term "maximalist" from James Campbell, "The Late Anglo-Saxon State: A Maximum View" *Proceedings of the British Academy* 87 (1994): 39-65 (reprinted in Campbell, *The Anglo-Saxon State*, 1-30). George Molyneux, "The Formation of the English Kingdom c.871-c.1016" (DPhil diss., Oxford, 2011), is the most recent articulation of the skeptical response to maximalist claims.

endless elasticity on the word and concept.”<sup>134</sup> In other words, it renders the usage of the term “state” effectively meaningless. Others have responded that implicit in such a stance is a teleological perspective that privileges the modern state as the only possible type.<sup>135</sup> This dissertation will employ the term “state” when referring to the administrative apparatus of Anglo-Saxon England. It does so without making any claims as to its perceived legitimacy in the view of its subjects or neighbors, its constitutional sophistication and certainly without attempting to equate Anglo-Saxon England with a modern independent political entity. Some alternatives connote even greater organizational cohesiveness, as in the case of “monarchy” or “nation,” others, such as “polity,” are simply too awkward. “State” adequately defines the region through which the crown’s designated officials exercised some authority and where charters and writs recognized this political supremacy.

Just as the Anglo-Saxon state faced a series of challenges in the period under examination, so too did the Anglo-Saxon church. By the end of the ninth century, it could boast of long-established traditions. Its basic administrative structure, with archbishops in Canterbury and York, each with its own suffragan dioceses, had been framed by Pope Gregory I three hundred years earlier. The ties to Gregory and the legacies of indigenous churchmen such as Boniface, Aldhelm, Alcuin and, preeminently, Bede, were a source of

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<sup>134</sup> Rees Davies, “The Medieval State: The Tyranny of a Concept?,” *Journal of Historical Sociology* 16 (2003): 284.

<sup>135</sup> Susan Reynolds, “The Historiography of the Medieval State,” in *A Companion to Historiography*, ed. M. Bentley (London: Routledge, 1997), 17-38 and *eadem* “There Were States in Medieval Europe: A Response to Rees Davies,” *Journal of Historical Sociology* 16 (2003): 550-55. Kathleen Davis, “National Writing in the Ninth Century: A Reminder for Postcolonial Thinking about the Nation,” *Journal of Medieval and Early Modern Studies* 28 (1998): 611-37, makes very similar arguments in defense of the concept of the “medieval nation.”

pride. Nonetheless, the recent invasions had led to the impoverishment and physical dislocation—if not loss—of many churches and monasteries, and the same period had witnessed a decline in the clergy’s learning, memorialized in Alfred’s famous complaint about the lack of Latinity in his time.<sup>136</sup>

The Benedictine Reformation (discussed in Chapter Three) should be understood as an element of the response to this narrative of physical and intellectual decay, an attempt to return to the church’s ‘Golden Age’—an age in which the monastic was the most elevated form of religious expression.<sup>137</sup> As will be seen, the political unification of the kingdom served as a justification for this attempt to impose a unified monastic observance; it also encouraged and enabled church leaders to seek greater unity of practice for seculars, as evidenced by the translation Chrodegang of Metz’s *Rule* for canons into Old English.<sup>138</sup> A succession of massbooks, bishop’s books, calendars and other service books point to attempts to create a common structure for the liturgy. The single greatest adjustment was administrative. The prevailing minster system, in which a

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<sup>136</sup> *King Alfred’s West-Saxon Version of Gregory’s Pastoral Care*, ed. and trans. Henry Sweet (London: Early English Text Society, 1871), 4-8. Simon Keynes, “The Power of the Written Word: Alfredian England 871-899” in *Alfred the Great: Papers from the Eleventh-Centenary Conferences*, ed. Timothy Reuter (Burlington, VT: Ashgate, 2003), 175-98, suggests that while Alfred’s depiction appears accurate enough for many regions, in others it must, to some degree, have been exaggerated.

<sup>137</sup> Alan Thacker, “Æthelwold and Abingdon,” in *Bishop Æthelwold: His Career and Influence*, ed. Barbara Yorke (Woodbridge, Suffolk: Boydell, 1988), 63, “for Æthelwold and his followers, the pre-Viking past was all of a piece and all monastic.” Patrick Wormald, “Æthelwold and his Continental Counterparts: Contact, Comparison, Contrast,” in Yorke, *Bishop Æthelwold*, 37-41, suggests that even the most innovative aspects of the Reformation, such as the unique institution of monastic bishoprics, were products of an attempts to recover the assumed forms of this golden age of Anglo-Saxon Christianity.

<sup>138</sup> *The Old English Version of the Enlarged Rule of Chrodegang*, ed. and trans. Brigitte Langefeld (Frankfurt: Peter Lang, 2003).

large mother church provided pastoral care on behalf of several dependent ones, was slowly replaced by the parish.<sup>139</sup> None of these reforms had been completed by the time of the Conquest, and this, coupled with a sharp decline in original compositions over the preceding forty years and a Norman narrative tradition that tended to depict the ecclesiastics of the defeated regime as dissolute and unlearned, has in the past led some historians to call into question the vitality of the Anglo-Saxon church.<sup>140</sup> As has been the case with the Anglo-Saxon state, this interpretation has been subject to recent revision.<sup>141</sup>

Medievalists know full well the futility of attempting to distinguish between “church” and “state.” Rarely, however, has the interaction between the two been as harmonious as it was in later Anglo-Saxon England, to the point where it has been characterized as a “theocratic state.”<sup>142</sup> Eadred’s famous observation that William I and Lanfranc, his

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<sup>139</sup> John Blair, ed., *Minsters and Parish Churches: The Local Church in Transition 950-1200* (Oxford: OUCA, 1988), and idem, *The Church in Anglo-Saxon Society* (Oxford: University Press, 2005).

<sup>140</sup> Christopher Hohler, “Some Service Books of the Later Saxon Church,” in *Tenth-Century Studies: Essays in Commemoration of the Millennium of the Council of Winchester and “Regularis Concordia,”* ed. David Parsons (London: Philimore, 1975), 71-74, nn. 47, 59, offers a particularly unflattering estimate of the level of late Anglo-Saxon erudition, but see also D. Farmer, “The Progress of the Monastic Revival,” and P. Sawyer, “Charters of the Reform Movement: The Worcester Archive,” both also in Parsons, *Tenth-Century Studies*, for arguments that the reform was neither as wide-reaching (Farmer, 15-18) nor as comprehensive (Sawyer, 88-93) as the somewhat triumphalist literature it produced might suggest.

<sup>141</sup> For instance, the alleged Norman purge of Anglo-Saxon saints from the liturgical calendar, the historiography of which is summarized in Susan Ridyard, *The Royal Saints of Anglo-Saxon England: A Study of West Saxon and East Anglian Cults* (Cambridge: University Press, 1988). 6, has been challenged in Richard Pfaff, “Lanfranc’s Supposed Purge of the Anglo-Saxon Calendar,” in *Warriors and Churchmen in the High Middle Ages*, ed. Timothy Reuter (London: Hambledon, 1992), 95-108; and Ridyard “*Condigna Veneratio*: Post-Conquest Attitudes to the Saints of the Anglo-Saxons,” *Anglo-Norman Studies 9: Proceedings of the Battle Conference 1986* (1987): 179-206.

<sup>142</sup> James Campbell, “Introduction: Placing King Alfred” in Reuter, *Alfred the Great*, 22.

Archbishop of Canterbury, were two matched oxen pulling the plough of the English church would have been at least as applicable in the pre-Conquest period in characterizing the relationships between King Æthelstan and Archbishop Wulfhelm, King Edgar and Archbishops Dunstan and Oswald and Bishop Æthelwold or Kings Æthelred and Cnut and Archbishop Wulfstan II.<sup>143</sup> Indeed, the role of Wulfstan was so notable that today his standing eclipses that of his kings'.<sup>144</sup> Monarchs and ecclesiastics had much to offer one another. Bishops and abbots proved reliable political agents in territories that had only recently come under the rule of Wessex.<sup>145</sup> (Although the participation of Wulfstan I, an earlier archbishop of York, in a northern rebellion in the 950s demonstrated the necessity of tying England's second most important prelate to the south. As a rule, his archiepiscopal successors held a southern see in plurality—typically Worcester—to reinforce their connections to the crown.) Church support for the crown came in many other forms, including the maintenance of crypts for the royal family, encouragement of the cults of various royal saints, and an unparalleled program of prayer for the royal family. Similarly, royal support for the established church can be found not only in the many protections and privileges incorporated in the laws (as seen in Chapter

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<sup>143</sup> Eadmer, *Historia Novarum in Anglia; et Opuscula Duo: De Vita Sancti Anselmi et Quibusdam Miraculis Ejus*, ed. Martin Rule, Rolls Series (London, 1884), 36.

<sup>144</sup> Jay Paul Gates, "Ealles Englalandes Cyningc: Cnut's Territorial Kingship and Wulfstan's Paranomastic Play," *The Heroic Age* 14 (November 2010), <http://www.heroicage.org/issues/14/gates.php>, represents an attempt to recover Cnut's authorial voice from the Wulfstanian compilations of laws bearing the king's name.

<sup>145</sup> Robin Fleming, "Monastic Lands and England's Defence in the Viking Age," *English Historical Review* 100 (1985): 247-65.

Two) but also in well-advertised patronage and even by giving the king pride of place in the campaign for monastic reform.

Standards and standardization, as described in this study, offer a new way to consider Anglo-Saxon political and religious administration, as well as the connections between the two. The debate over whether the kingdom's institutions were as effective and pervasive as their idealized presentation suggested them to have been is at risk of becoming sterile, partly because it relies on long-accepted notions of institutions. They are conceived as monolithic, hierarchic and resistant to the vicissitudes of change. In contrast, standardization, as elaborated here, is never fixed. It must be organic-responsive and constantly evolving. Nor is it situated in one place. Standards of production can be implemented in any workshop and standards of behavior can be adopted for any public space. Perhaps most importantly, it replaces the vertical hierarchy with a more horizontal network. Standards require constant feedback, and the roles of the disseminator, implementer and monitor and even consumer are at least as important as that of creator. (Further, as has been seen, these roles are not fixed; one constantly moves back and forth between them.) Thus, standardization brings to the fore an emphasis on social relations that is often lacking in institutional history. This is critical, because the question of how the English church and state were shaped in the tenth and eleventh centuries cannot be considered without asking how the English people came into being over the same period. Standardization allows for an exploration of the symbiotic relationship between these processes.

Through its investigation of the practice of standardization in later Anglo-Saxon England, this study has the potential to shed new light on some of the contested points that have been outlined above. Elements of this investigation include attempts to discern the goals—whether stated or inferred—of those who pursued standardization as well as its impact on the populace. Only by taking factors such as these into account can the impact of standardization on the Anglo-Saxon church and state be properly assessed. One of the most ardent adherents of the maximalist position insists “it is a fact that the political structure and culture which came into existence some 1100 years ago is to all intents and purposes the one which the English still inhabit, making it just about the longest-lived organism in the history of human government—outlasted perhaps only by the Chinese Mandarinate.”<sup>146</sup> Thus study is an effort to determine whether standardization contributed to that achievement.

Three figures are of sufficient importance to the following chapters that it seems appropriate to provide a brief summary of each at this juncture. The first is Edgar. Born sometime in the early 940s, he was the younger of the two sons of King Edmund (939-46). His elder brother, Eadwig, acceded to the throne upon the death of their uncle, Eadred (946-55). In 957, under circumstances that remain unclear, the kingdom was divided, with Edgar assuming kingship of Mercia, and Eadwig retaining control of the dynastic heartland of Wessex. Upon Eadwig’s death in 959, the kingdom was reunited under Edgar. At least one irregular marriage, which produced a son, Edward ‘Martyr’

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<sup>146</sup> Patrick Wormald, “Archbishop Wulfstan: Eleventh-Century State-BUILDER,” in *Wulfstan, Archbishop of York: The Proceedings of the Second Alcuin Conference*, ed. Matthew Townend (Turnhout: Brepols, 2004), 23.

(975-978), preceded Edgar's marriage to Ælfthryth in 963/4, whose children included the future Æthelred II (978-1016). The cause of Edgar's death, in 975, when he could only have been in his early thirties, is unattributed.

The work of Frank Stenton, the premier Anglo-Saxonist of the twentieth century, offers a means of gauging modern scholarship's perception of Edgar. In his synthesis of Anglo-Saxon history, Stenton described Edgar's reign as "singularly devoid of recorded achievement."<sup>147</sup> Against the all-too-eventful reign of his son, Æthelred, quietude was not necessarily a bad thing, and Stenton's comment was intended as praise of Edgar's competence; it is this lack of turmoil that caused Edgar's name to be associated with the sobriquet "*Pacificus*."<sup>148</sup> The incident that attracted the most comment, contemporary as well as modern, is Edgar's consecration and coronation (or reconsecration and recoronation?) at Bath in 973, and the meeting in Chester that immediately followed, featuring the submission of a number of kings of Wales, Cumbria, Strathclyde, Scotland and the islands of Irish Sea.<sup>149</sup>

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<sup>147</sup> Stenton, *Anglo-Saxon England*, 368. Stenton discusses Edgar's reign (pp. 364-72) in a chapter entitled, significantly, "The Decline of the Old English Monarchy." The king's role in the Benedictine Reform movement is addressed separately (pp. 448-55).

<sup>148</sup> The first known use of this title is in the early-twelfth century in John of Worcester, *Chronicle*, vol. 2, *The Annals from 450-1066* ed. R. R. Darlington and P. McGurk, trans. Jennifer Bray and P. McGurk (Oxford: University Press, 1995), 416.

<sup>149</sup> Adrienne. Jones, "The Significance of the Regal Consecration of Edgar in 973," *Journal of Ecclesiastical History* 33 (1982): 375-90; David Thornton, "Edgar and the Eight Kings, AD 973: *Textus et Dramatis Personae*," *Early Medieval Europe* 10 (2001): 49-79; Julia Barrow, "Chester's Earliest Regatta? Edgar's Dee-Rowing Revisited," *Early Medieval Europe* 10 (2001): 81-93; and Ann Williams, "An Outing on the Dee: King Edgar at Chester, AD 973," *Medieval Scandinavia* 14 (2004): 229-43, are a selection of recent treatments of these events.



The second individual is Æthelwold, a close associate of Edgar.<sup>150</sup> He was born in Winchester, the seat of the Wessex kingdom, sometime in the first decade in the tenth century. According to his hagiographer, he was of a noble family. He was introduced into the court of King Æthelstan (924-939) at some point in his *adolescentia*. While there, he took orders and was ordained a priest. At some time in the late 930s, he went to Glastonbury to become a professed monk and to study under Dunstan, then abbot and later Archbishop of Canterbury. He left Glastonbury and was appointed abbot of Abingdon sometime in the late 940s or early 950s. In 963, Edgar named him to the see of Winchester. Almost immediately upon his arrival, he oversaw the ejection of the secular canons who then occupied both the Old Minster and New Minster in that city, replacing them with monks and installing abbots of his choosing. Æthelwold went on to found many other abbeys in Wessex and East Anglia. He maintained a close relationship with the royal family, particularly Edgar (whom he is said to have tutored while the king was still a boy); Edgar's second wife, Ælfhryth; and their son, Æthelred II. He died in 984, and his cult seems to have been established shortly thereafter, certainly by the time of his translation from the Old Minster crypt to the church choir in 996.

Wulfstan is the third figure who merits an introduction of his own.<sup>151</sup> Biographically, his record is scant. Nothing is known of him before his appointment as Bishop of London in 996. He served in that role until his elevation to the archdiocese of York in 1002,

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<sup>150</sup> Michael Lapidge, introduction to *The Life of St. Æthelwold*, by Wulfstan of Winchester, ed. and trans. by Michael Lapidge and Michael Winterbottom (Oxford: Clarendon, 1991), xxxix-xcix, is the primary source for what follows.

<sup>151</sup> The essays in Townend, ed., *Wulfstan, Archbishop of York*, summarize recent Wulfstan scholarship on a range of topics.

which he held in plurality with the see of Worcester until surrendering the latter in 1016. He died in 1023. Against this limited background, however, is a substantial corpus of canonical, homiletic and legislative material that indicates Wulfstan's position at the forefront of the kingdom's political and religious leadership through the later part of the reign of Æthelred II and the first years of his successor, Cnut (1016-35). The recognition of Wulfstan's authorship of many of these texts was one of the key developments of Anglo-Saxon studies in the twentieth century.<sup>152</sup> Equally important has been a growing appreciation of the systematized nature of his work, which displays his evolving vision of a Christian society in which all elements were united in the goal of realizing Bede's depiction of England as the new Jerusalem.<sup>153</sup>

### **The Plan for this Study**

An investigation into the nature and purposes of Anglo-Saxon standardization is common to all the chapters of this work. Each chapter, however, makes use of a different

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<sup>152</sup> A full bibliography would be excessive, but key works include Dorothy Whitelock, "Archbishop Wulfstan, Homilist and Statesman," *Transactions of the Royal Historical Society*, 4<sup>th</sup> ser., 24 (1942): 25-45; eadem "Wulfstan and the Laws of Cnut," *English Historical Review* 63 (1948): 433-52; eadem, "Wulfstan's Authorship of Cnut's Laws," *English Historical Review* 70 (1955): 72-85; Karl Jost, *Wulfstanstudien* (Bern: Franke, 1950); Dorothy Bethurum, "Archbishop Wulfstan's commonplace-book," *Proceedings of the Modern Languages Association of America* 57 (1942): 916-29; eadem, "Six Anonymous Old English Codes," *Journal of English and German Philology* 49 (1950): 449-63; eadem, ed., *The Homilies of Wulfstan* (Oxford: Clarendon, 1957); Neil Ker, "The handwriting of Archbishop Wulfstan," in *England before the Conquest: Studies in Primary Sources Presented to Dorothy Whitelock*, ed. Peter Clemoes and Kathleen Hughes (Cambridge: University Press, 1971), 315-31; and Patrick Wormald, "Æthelred the Lawmaker," in *Æthelred the Unready: Papers from the Millenary Conference*, ed. David Hill (Oxford: British Archaeological Reports, 1978), 46-80.

<sup>153</sup> M. K. Lawson, "Archbishop Wulfstan and the Homiletic Element in the Laws of Æthelred II and Cnut," *English Historical Review* 107 (1992): 565-86; Patrick Wormald, *The Making of English Law: King Alfred to the Twelfth Century* (Oxford: Blackwell, 1999), 333-45, 449-65 (note the judgement, p. 463, that "Wulfstan's life's work culminated in Cnut's Winchester code" of 1020/21); Joyce Tally Lionarons *The Homiletic Writings of Archbishop Wulfstan* (Woodbridge: Boydell, 2010).

type of evidence, allowing for the exploration of different aspects of standardization. I begin with an instance in which the evidence is relatively plentiful, but the case for a deliberate, coordinated policy of standardization must be inferred, and, in steps, work towards one for which there is no direct evidence of implemented standards, but for which we do possess a programmatic, standardizing document.

The emphasis placed on metrological standardization as a predicate to any further standardization has been noted in this introduction. Therefore, Chapter One opens with a review of the limited physical and legal evidence for Anglo-Saxon efforts to standardize weights and measures. The main focus of this chapter, however, is on attempts to standardize one particular type of measure, that of value. I review two types of coin deposits, hoards and single finds, for each of two regions—the Anglo-Saxon “heartland” of Wessex and the more peripheral East Anglia—to determine the degree to which the coinage reform of c. 970 facilitated the movement of money throughout the kingdom. Additionally, I review attempts to control the coinage as evinced by law codes. Key questions for this chapter are what the intent behind any attempt to standardize the coinage might have been and whether the reform of c. 970 represented an exceptional moment in the development of the kingdom’s coinage or whether some long-term consistency can be discerned in the evidence for standardization.

The second chapter treats the standardization of written law, as embodied in the manuscript tradition. I focus on one code, originally promulgated in the 960s, and the ways in which both the form and the content of that code are changed over the following decades. The purpose of this investigation is to determine the extent to which

modifications brought this code into accord with later ones. The hypothesis that such changes were intended, at least in part, to meet the prevailing standards for written law allows us to deduce what these standards were and how they changed over time. Broader questions raised in this chapter include what the existence of such standards reveals about the expectations for and function of written law in this period and what the rationale for “updating” an older code might be, particularly when it is accompanied, often in the same manuscript, by code(s) which, in theory, have supplanted it.

The final chapter addresses the Benedictine Reform, a term medievalists have employed in reference to attempts to create a common monastic observance for all of England.<sup>154</sup> Unlike the previous chapters, little evidence for the implementation of this reform survives. The primary text prescribing it, however, the *Regularis Concordia*, c. 970, provides something that has been lacking in this study so far: a document that is concerned with the creation and dissemination of standards. This chapter focuses on this text, and, to a lesser extent, the penumbra of texts surrounding it, to characterize the types of standards these texts enjoined; to examine what these text have to say about the process of the creation and dissemination of these standards and assess their similarities to the processes we have observed in contemporary standards-writing; and, most importantly, to examine the rhetoric these texts employ to justify this standardization, in the expectation that this will shed some light on broader goals this standardization was intended to further.

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<sup>154</sup> David Dumville, “English Square Miniscule Script: The Background and Earlier Phases,” *Anglo-Saxon England* 16 (1987): 147-49, and subsequent works, has favored the phrase “Benedictine Revolution.”

A broader question that arises from the outline of these chapters is one of emphasis. The period from 963-75 looms large for each of these topics. No doubt this is in part due to the vagaries inherent in the survival of records, yet that cannot be the entire story; as will be seen in Chapters Two and Three, those looking back from the next generation—and even from the twelfth century—speak of this era and its chief personalities in terms both glowing and wistful, and we will also see how they evoke the historical memory of this earlier period to achieve consensus for standards in their own time. The focus on this era is shared by scholars today: the three chief ecclesiasts of the period have each been the subject of important recent collections, as has Edgar, their king.<sup>155</sup> It might be expected that this study of standardization would further cement the importance of these years. In fact, it does the opposite. In each instance standardization is found to be an ongoing process of significantly greater duration than a single reign or episcopal tenure. The handful of years on either side of 970 may mark an increase in the concentration on standards, but it signifies neither a beginning nor an end.

My conclusion returns to the points raised in this introduction. I compare and contrast standardization, as practiced in Anglo-Saxon England, with the process as it is understood today. I discuss whether standardization, as observed herein, can contribute something new to the debate over the strength of the Anglo-Saxon church and state. I question what effect, if any, standardization has on the identities of those who regularly

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<sup>155</sup> Yorke, ed., *Bishop Æthelwold*; Nigel Ramsay, Margaret Sparks and Tim Tatton-Brown, eds., *St. Dunstan: His Life, Times and Cult* (Woodbridge, Suffolk, Boydell, 1992); Nicholas Brooks and Catherine Cubitt, eds., *Oswald of Worcester: Life and Influence* (London: Leicester University Press, 1996); and Donald Scragg, ed., *Edgar, King of the English, 959-975* (Woodbridge, Suffolk: Boydell, 2008). Editions of the principle *vitae* for Æthelwold, Dunstan and Oswald were released in 1991, 2012 and 2009, respectively.

interact with its subjects. I also offer my best surmise as to the motives of those who were most closely involved in promoting these attempts at standardization, attempting to determine whether they were the same in each case. Although focusing on one particular time and place, there is no reason the approach that has been followed here should not have broader applicability. Therefore, I conclude by adjudicating the general utility of standardization as a lens onto other periods. Does a program of standardization provide strength and stability to a society and, if so, through what means? Can historians discern the purposes for which a society might pursue a strategy of standardization? Finally, are there particular points in the evolution of a society in which standardization is most likely to be rewarding?

## CHAPTER ONE

### THE COINS

This chapter looks at the standardization of coinage in later Anglo-Saxon England. In the centuries before the Norman Conquest, the monetary development that has received the lion's share of the attention of both numismatists and historians is the wide-reaching reform of the kingdom's coinage carried out in the latter years of the reign of King Edgar (957/9-75). Michael Dolley established the key components of this reform in a series of articles written in the 1950s and 60s.<sup>1</sup> The impact of Dolley's contribution is apparent in the vast number of subsequent studies of later Anglo-Saxon coinage that either begin or conclude with Edgar's reform.<sup>2</sup> Such an emphasis is tenable from a numismatic

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<sup>1</sup> Michael Dolley and David Michael Metcalf, "The Reform of the English Coinage under Eadgar," in *Anglo-Saxon Coins: Studies Presented to Sir Frank Stenton*, ed., Michael Dolley (London: Methuen, 1961), 136-68, is the most complete synthesis of Dolley's work on the topic.

<sup>2</sup> Including Marion M. Archibald and Christopher E. Blunt, *Sylloge of Coins of the British Isles. Vol. 34: British Museum, Part V: Athelstan to Edgar's Reform* (London: British Museum Publications, 1986); Kenneth Jonsson, *The New Era: The Reformation of the Late Anglo-Saxon Coinage* (Stockholm: Institutionen för Arkeologi, 1987); Christopher E. Blunt, Stewart Lyon and Ian. Stewart, *Coinage in Tenth-Century England: From Edward the Elder to Edgar's Reform* (Oxford: University Press, 1989); David Michael Metcalf, *An Atlas of Anglo-Saxon and Norman Coin Finds, c.973-1086* (London: Royal Numismatic Society, 1998); Kenneth Jonsson, "The Pre-Reform Coinage of Edgar: The Legacy of the Anglo-Saxon Kingdoms," and Martin Allen, "The Volume of the Currency, C. 973-1158" in *Coinage and History in the North Sea World c.500-1250: Essays in Honor of Marion Archibald*, eds. Barrie Cook and Gareth Williams (Leiden: Brill, 2006), 325-46, 487-523; and Hugh Pagan, "The Pre-Reform Coinage of King Edgar," in Scragg, *Edgar, King of the English*, 192-207. This list could easily be extended. Allen's and Metcalf's titles reveal a tendency among numismatists to see 973 as more significant to their periodization than the Norman Conquest of 1066.

perspective, but is it viable from a historical one? To rephrase the question, does an impetus towards standardization only become apparent with Edgar's reform, or is there evidence for such an impetus in the decades before and after Edgar?

This chapter will question the conventionally accepted view that Edgar's reform was a transformative event for the structure and administration of the kingdom's coinage, contending instead that it was part of an ongoing program of standardization that had its roots in mid-ninth century Wessex and continued on through the reigns of Edgar's successors. Additionally, it will challenge the interpretation that the primary impetus for this reform was the king's desire to more firmly seize control of the coinage, and the corollary that regional, as opposed to centralized, control represented weakness on the part of rulers before and after Edgar. As evidence for these arguments, a study comparing the pre- and post-reform coins of two regions within the kingdom will be brought to bear, as well as a century's worth of law codes that address different aspects of monetary policy.

### **Preliminaries: Weights and Measures**

I begin with a brief excursus on the kingdom's weights and measures, which are materially and legislatively connected to the coinage. It has been suggested that the first priority of any authority looking to standardize should be the weights and measures within its purview.<sup>3</sup> Unfortunately, with the exception of coins and, perhaps, some

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<sup>3</sup> Verman, 56, "the first and foremost attention should be paid to the system of weights and measures, which form the basis of all standards. Prevailing conditions differ in different countries in this regard, but by and large it may be taken for granted that, if in a country standardization movement [sic] is just being initiated, then it would be its weights and measure situation which



weights that were associated with the coinage, there are no surviving tangible standards for Anglo-Saxon weights and measures. All but the crudest architectural endeavors must have made use of a fairly elaborate and entrenched system of measure, but, despite many attempts, the precise length of the Anglo-Saxon foot, rod, perch and other units remain lost to the present.<sup>4</sup> A substantial number of weights have been recovered, often in connection with the balances that would have employed them, but there seems to be very little correlation between different weights from different sites.<sup>5</sup> More than forty years ago, Philip Grierson argued that attempts to find units of measure that had agreed upon values throughout England were symptoms of “mathematical romanticism.”<sup>6</sup> Grierson did not deny the existence of standards that could be referred to, but, with the coinage an honorable exception, saw no evidence of their being produced by a central authority and distributed for local use. For evidence, he pointed to the numerous local measures that

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would need immediate attention...Except perhaps in a few countries, therefore, there is always the need for introducing some sort of regulatory measures so that the desirable uniformity in weights and measures is attained at an early date. Without it, the program of standardization will find it very difficult to become effective.”

<sup>4</sup> See, for instance, Eric C. Fernie, “Anglo-Saxon Lengths and the Evidence of Buildings,” P.J. Huggins, “Anglo-Saxon Timber Building Measurements: Recent Results,” and Fred Bettess, “The Anglo-Saxon Foot: A Computerized Assessment” *Medieval Archaeology* 35 (1991): 1-5, 6-28, and 44-50. The authors in this collection have attempted to infer standard measures by working backwards from the known dimensions of Anglo-Saxon structures. Peter Kidson, “A Metrological Investigation” *Journal of the Warburg and Courtauld Institutes* 53 (1990): 71-97, advocates using not the raw numbers from any one site or collection of sites, but the ratios of the different dimensions to uncover fundamental units of measure.

<sup>5</sup> Susan Kruse, “Late Saxon Balances and Weights from England,” *Medieval Archaeology* 36 (1992): 67-95.

<sup>6</sup> Philip Grierson, *English Linear Measures: An Essay in Origins*, Stenton Lecture (Reading: University Press, 1971), 5.

obtained throughout the kingdom. As will be seen in the discussion of monastic rations in Chapter Three, these were subject to change not only from place to place, but also over time. Grierson contended that so long as these local standards prevailed, with the same term often applying to different measures in different towns, state-wide standardization was unattainable.<sup>7</sup>

Acceptance of Grierson's claims does not foreclose any attempts at finding standardization in Anglo-Saxon England. It does imply, however, that there were no generally accepted terms for weights and measures that prospective standardizers could assume to have been held in common by their entire potential audience. That in turn implies that any attempt at creating standards that would have relied on such measures would have required that the measures be carefully defined from the onset. Further, any attempt to determine compliance with a standard would necessitate consistency in the tools that were used to measure it.

That the concern with proper weights and measures was longstanding is evident from a curious text that identifies itself as the report of a papal legation to England headed by

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<sup>7</sup> Ibid., 31-32, "Uniform and authoritative standards, enforced throughout England, could not even in theory have existed before the tenth century, and even after the conquest of the Danelaw its inhabitants, whatever the law might say, no doubt continued to use the measures to which they were accustomed....[Early] measure would more or less correspond in size because they were based on similar natural objects—the thumb, the foot, the barleycorn—but they were not yet variants of a standard. Standardization was something that came later and can never have been more than partial, for custom was strong and accepted valuations would have to have been geared to traditional units, which people would have been reluctant to disregard in favor of royal ones. In the process of standardization the achievements of the post-Conquest age are of fundamental importance."

one George, bishop of Ostia and Theophylact, bishop of Todi, and bearing a date of 786.<sup>8</sup> The majority of the report is given over to twenty capitula, which the legates say were approved at a synod in York. The first ten of these deal with matters of church law, such as baptism, the ordination of deacons and priests, and the succession of abbots, while the last ten pertain to more secular matters. The style of the report reflects this mix; the legates “decree,” “command” and “forbid” in a quasi-legislative fashion, yet no specific penalties for violations are given, and the text makes repeated and explicit use of biblical passages to support its mandates.<sup>9</sup> Our interest lies in the last lines of the seventeenth chapter, which read “We have also established that equal measures and equal weights should hold for all things, as the saying of Solomon ‘The Lord hates multiple weights and multiple measures, [Prv 20:10]’ that is, anyone who buys by one weight or measure should not sell by another ‘because the Lord values justice and his visage sees fairness. [Ps 10:8]’”<sup>10</sup>

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<sup>8</sup> *Alcuini Epistolae*, ed. Ernst Dümmler, *MGH Epistolae Karolini Aevi* 2 (Berlin, 1895), no. 3, p. 19-29, prints this report.

<sup>9</sup> Patrick Wormald, “In Search of King Offa’s ‘Law Code’” in *People and Places in Northern Europe*, eds. Ian Wood and Niels Lund (Woodbridge, Suffolk: Boydell, 1991), 24-45, speculates that the capitula are adapted from a set of laws, possibly those of Offa, king of Mercia from 757-96. In the preface to his own code, Alfred claims to have drawn on the laws of Offa, but there is no other record of them. Catherine Cubitt, *Anglo-Saxon Church Councils c.650-c.850* (London: Leicester University Press, 1995), 153-90, argues instead that Alcuin was the chief influence on the legatine report, noting strong similarities between it and elements of the *Admonitio Generalis* with which he has long been associated. Claims of Alcuin’s involvement with the legatine report have been made since before Dümmler’s edition, but note the cautions voiced in Donald Bullough, *Alcuin: Achievement and Reputation* (Leiden: Brill, 2004), 350-56.

<sup>10</sup> *Alcuini Epistolae*, 26: “Statuimus etiam, ut mensuras aequas et pondera aequalia statuunt omnibus, dicente Solomone: ‘*Pondus et pondus, mensuram et mensuram odit Deus*:’ id est ne alio

With the exception of this singular text, Anglo-Saxon legislation makes no reference to weights and measures until the middle of the tenth century. The first instance of such is found in the Andover code of King Edgar (traditionally known as II and III Edgar).<sup>11</sup> The precise date of this codes is uncertain; it was likely from the 960s, but a date in the early 970s is possible.<sup>12</sup> The clause identified as III Edgar 8 mandated a single coinage for the whole realm. The next clause applied the same principle to measures: “And [one] measure, [shall go over all the king’s dominion] such as the one kept in Winchester.”<sup>13</sup> Some extant versions of II and III Edgar were modified by Wulfstan, Bishop of London (996-1002) and Archbishop of York and Bishop of Worcester (1002-23), who was responsible for much of the later legislation of Æthelred II (978-1014) as well as the ‘great code’ of his successor, Cnut (1016-35).<sup>14</sup> Wulfstan developed III Edgar 8.1 both

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quis vendat pondere vel mensura, alia emat: ‘*quia ubique Deus iusticiam diligit, et aequitatem videt vultus eius.*’” Unless otherwise attributed, all translations in this study are my own.

<sup>11</sup> Andover is not mentioned in either of these codes, but see a comment in the later IV Edgar 1.4: Felix Liebermann, *Die Gesetze der Angelsachsen*, 3 vols. (Halle: Niemeyer, 1903-16), 1:208, “as is directed by the agreement decreed by my witan at Andover...” (“swa seo gereādnyss tæce þe mine witan æt Andeferan geræddon...”), which is in reference to II Edgar 1.1. Names of codes and division of clauses are all taken from Liebermann’s editions, with the exception of Cnut’s 1018 code, references to which follow Alan Kennedy, “Cnut’s Law Code of 1018,” *Anglo-Saxon England* 11 (1983): 57-81. Wormald, *Making of English Law*, 313-17, reviews the Andover code. Chapter Two of this study provides a much more detailed treatment of Andover, its textual transmission, and the mss. in which it is found.

<sup>12</sup> Wormald, *Making of English Law*, 441-42.

<sup>13</sup> Liebermann, 1:204, “7 gemet, swylce man on Wintancestre healde.” The text quoted is from London, British Library, Cotton Nero A.i (Liebermann siglum “G”).

<sup>14</sup> See above, pp. 62-63, for a review of Wulfstan’s activity and the substantial amount of scholarly attention of which he has been the target. Chapter Two is, in part, an examination of the methods of Wulfstan as lawmaker. II and III Edgar survive, in whole or in part, in five vernacular readings, as well as the 12<sup>th</sup>-century Latin translation from the Old English known as

grammatically and substantively: “And one measure shall go, and one weight, such as the one kept in London and Winchester.”<sup>15</sup> The addition of London probably reflects the growing economic status of the kingdom’s largest city, as measured against Winchester, the capital. The addition of “weight” to “measure” may indicate Wulfstan’s sense that the two are associated. Changes to a forty year old law raise questions about what impact such changes would be expected to have, especially given that a number of other codes had been promulgated in the intervening years. The nature of the changes made to Edgar’s Andover code, and the possible rationales driving these changes, are the subjects of Chapter Two.

Anglo-Saxon laws are a problematic source, and whether they had a direct impact on everyday activities or are best understood as aspirational, ideological exercises is a matter of some debate, inextricably bound up with the dispute over the “maximalist” interpretation of Anglo-Saxon England referred to in the Introduction. For example, codes that will be encountered later in this chapter indicate that a forger would be subject to having his hand amputated and hung up over his mint. I take no position as to whether this actually transpired—it is enough to note that such decrees constituted one aspect of the authority that Anglo-Saxon kings wished to claim in their law-making. Similarly, in the

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*Quadripartitus*. “G” is the only complete vernacular version not to have been subsequently emended by Wulfstan in the early 11<sup>th</sup> century. The Cotton Nero manuscript is a composite; the first, or ‘A’ part, contains this version of II-III Edgar in a script dated to the early 2<sup>nd</sup> half of the 11<sup>th</sup> century. Wormlad, *Making of English Law*, 224-28, discusses the history and composition of this section of the ms.

<sup>15</sup> Liebermann, 1:204, “7 gange an gemet, 7 an gewihte, swylce mon on Lundenbyrig 7 on Wintancestre healde.” The text is from Cambridge, Corpus Christi College, 201 (Liebermann siglum “D”). The ms. has been dated to the mid-11<sup>th</sup> century, and was probably compiled at York.

case of the revisions to III Edgar, it suffices for now to say that Wulfstan saw his additions as suitable for this law code.

Wulfstan also treats weights and measures in the later law codes associated with King Æthelred II (978-1016). VI Æthelred, like its sibling V Æthelred, purport to have originated in a council that met at Enham in 1008, but both codes are extant only in versions that have been modified to greater or lesser degrees over at least the following decade.<sup>16</sup> In VI Æthelred 28.2, improper weights and measures take pride of place in a list of deceptions: “And one shall very much avoid deceptive deeds and hateful injustice such as false weights and crooked measures and lying testimonies and base frauds and foul adulteries and dreadful perjuries.”<sup>17</sup> V Æthelred 24 is an abbreviated version of VI Æthelred 28.2.<sup>18</sup> In addition to abhorring false measures, the code urges their correction.

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<sup>16</sup> Ibid., 1:236, “In nomine Domine anno dominicae incarnationis MVIII,” found only in the prologue of the Cotton Nero A.i (“G”) reading of V Æthelred; Liebermann 1:246, “...on the holy day of Pentecost, all of the good men of the English were summoned to come together to the place named Enham by the naitves,” (“...uniuersi Anglorum optimates die sancto pentecosten ad locum ab indigenis Eanham nominatum acciti sunt conuenire,”), found only in the prologue to the Latin paraphrase from London, British Library, Cotton Claudius A.iii (Liebermann siglum “K”), a tripartite composite of the early 11<sup>th</sup> century that contains the only versions of VI Æthelred, a vernacular version and the Latin paraphrase. See Wormald, *Making of English Law*, 190-95 for this manuscript and ibid., 332-35, for the very complicated problem of the traditions of V and VI Æthelred. Simon Keynes, “An Abbot, an Archbishop and the Viking Raids of 1006-7 and 1009-12” *Anglo-Saxon England* 36 (2007): 177-79, situates Enham and the production of Æthelred V-VI in the broader context of the disruptions associated with the last decade of Æthelred’s reign.

<sup>17</sup> Liebermann, 1:254, “7 swicollice dæda 7 laðlice unlaga ascunige man swyðe, þæt is false gewiht 7 woge gemeta 7 lease gewitnessa 7 fracodlice ficunga 7 fule forligra 7 egeslice manswara.”

<sup>18</sup> Ibid., 1:242-43. There are three vernacular versions of V Æthelred, two in “G” and one in “D.” “Base frauds” is omitted from “D,” and “foul adulteries” is dropped from all three. Liebermann divides the clauses differently in this code than he did in VI Æthelred, and “dreadful perjuries,” instead of completing 24, begins 25.

VI Æthelred 32.2 reads: “And one shall earnestly amend weights and measures, and all injustices shall henceforth be abandoned.”<sup>19</sup> The second, secular part of the code of Cnut, promulgated in 1020/21 is identical to VI Æthelred 32.2.<sup>20</sup>

One surviving class of weights demonstrates a perceived connection between weights and coins. Some half-dozen lead discs of various weights that bear the imprint of dies used to strike coins have been found throughout England.<sup>21</sup> The proximity of laws on weights and measures to those on coinage also indicates that these categories were thought to be related. The provisions on weights and measures directly follow those for coins in VI Æthelred and II Cnut. The admonition in III Edgar that there shall be only one weight for the whole kingdom is only comprehensible in the context of the previous clause’s identical statement on the coinage.

An association between weights and coins is even more evident in IV Æthelred, a code conventionally dated c.990 that is the most comprehensive extant Anglo-Saxon legislation on coinage. Clause 9.2 instructs: “And those who watch over towns shall cause, subject to the penalty of noncompliance with me, that every weight is signed according to the weight by which my money is received, and it shall be stamped for each

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<sup>19</sup> Ibid., 1:254: “7 gemeta 7 gewihta rihte man georne 7 ælces unrihtes heonan forð geswice.”

<sup>20</sup> Ibid., 1:314. Wormald, *Making of English Law*, 334-35, suggests that the vernacular VI Æthelred was written as a draft for Cnut’s codes.

<sup>21</sup> Marion Archibald, “Anglo-Saxon and Norman Lead Objects with Official Coin Types,” in *Aspects of Saxo-Norman London 2: Finds and Environmental Evidence*, ed. Alan Vince (London: London and Middlesex Archaeological Society, 1971), 334-35; and Kruse, “Late Saxon Balances and Weights,” 82-83, discuss these items, although the former is more tentative in concluding that they were intended as weights.

of them that 15 ore make a pound.”<sup>22</sup> The meaning of this clause, mediated through the Anglo-Norman translator of the Latin collection of Anglo-Saxon law texts known as *Quadripartitus*, is not entirely clear.<sup>23</sup> In addition to legislating a standardized relationship between the pound and the ora, however, it appears to indicate that the production and maintenance of “officially approved” weights was connected with the striking of the kingdom’s coinage. Although none of the lead discs with coin imprints that have been recovered are of the requisite weight described in this code, they could have been employed for similar purposes.<sup>24</sup> The existence of one such weight marked by a die used to strike coins of Alfred (Figure 1) demonstrates that they were produced before the promulgation of IV Æthelred; another bears the image of a coin from the reign of Edward the Confessor, suggesting that they might have been employed throughout the period. Surviving ninth-century Carolingian coin-weights, as well as an example from

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<sup>22</sup> Liebermann, 1:236: “Et ipsi qui portos custodiunt, efficiant per ouerhyrnessam meam, ut omne pondus sit marcatum ad pondus quo pecunia mea recipitur; et eorum singulum signetur ita, cur (quod) XV ore libram faciant.” The code is only found in four manuscripts containing later recensions of the *Quadripartitus*. Wormald, *Making of English Law*, 237-44, discusses various stages in the text’s composition, and presents a table laying out the order and composition of each of the nine *Quadripartitus* manuscripts. See the discussion on pp. 124-26 for a possible earlier date for this text.

<sup>23</sup> Patrick Wormald, “Quadripartitus,” *Law and Government in Medieval England and Normandy: Studies Presented to Sir James Holt*, eds. G. Garnett and J. Hudson (Cambridge: University Press, 1994), 142-46, reviews what is known of the text’s compiler/translator. Stewart Lyon, “Historical Problems of Anglo-Saxon Coinage – (3) Denominations and Weights,” *British Numismatic Journal* 38 (1969):214, offers another possible interpretation of this clause in a discussion of the use of the 15-ora pound in later Anglo-Saxon England.

<sup>24</sup> Archibald, “Anglo-Saxon and Norman Lead Objects,” 335, describes coin-weights that were equal to one-half and one-eighth of a pound. The second weight would be equal to 30 silver pennies, the traditional value of a gold mancuse.



mid-tenth-century Scandinavian York, indicate that a relationship between coins and weights was widely recognized, as might be expected, given that coins were subjected to strict weight controls.<sup>25</sup> As will be seen, several law codes contain clauses designed to ensure that the kingdom's coinage be of the proper weight. If the kingdom's coinage was believed to be sound and of a consistent weight, the use of coin images might have been intended as a testament to the reliability of the weights that bore them. The relationship between weights, measures and coinage are a reminder that coins themselves are a type of measure, a measure of value. It is on this specialized measure that the remainder of this chapter is focused.



Figure 1. Lead Weight Stamped by a Coin Die  
 EMC 1991.0248–Alfred Cross and Lozenge (c.875-c.880). *Moneyer–Ealdwulf* (*ÆALDVLF*), *Mint–London*. P. Stott, 'Saxon and Norman Coins from London', in *Aspects of Saxo-Norman London: II: Finds and Environmental Evidence*, ed. by A. Vince (London, 1991), coin no. 69. © London and Middlesex Archaeological Society

### Edgar's Reform in the Context of the Anglo-Saxon Monetary Tradition

The following sections will examine standardization in the kingdom's coinage. The first focuses on the reform instituted near the end of Edgar's (957/9-75) reign, an event

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<sup>25</sup> Karl Morrison, "Numismatics and Carolingian Trade: A Critique of the Evidence," *Speculum* 38 (1963): 423-24 for the Carolingian examples; the Anglo-Scandinavian specimen is EMC 1034.1255.

which had more effect than any other on later Anglo-Saxon numismatics. After noting some earlier attempts at currency reform, this section briefly describes the impact that Edgar's initiative had on the Anglo-Saxon monetary regime. With the mechanisms of this reform having been established, the second section presents a study comparing the circulation of currency within the kingdom before and after Edgar's reform. This study is designed to determine what impact, if any, the reform actually had. The third section will review all laws pertaining to coinage promulgated in this period. It gives particular attention to the themes which appear to be of greatest interest to legislators, whether the laws reflect consistent goals over the course of a century, and whether they can reconciled with the changes to the currency introduced by reform. In its conclusion, this chapter will suggest that efforts towards standardization of the coinage were means directed towards a greater end.

The heterogeneous Anglo-Saxon currency of the period before the reform aptly symbolized the challenge facing the newly-expanded state. As different regions fell under the suzerainty of the Wessex dynasty, they did not all adopt a common coinage. Every coin bore the name of the king—or at least it did after the death of Archbishop Plegmund of Canterbury (890-914) who was the last non-monarch to issue an independent coinage—and it bore the name of the moneyer who struck it as well, sharing in an Anglo-Saxon innovation that can be traced back to the East Anglian king Beonna (c.749-60).<sup>26</sup> In other respects, variety was the rule between and often within areas. It has been said of the

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<sup>26</sup> Marion Archibald, "The Coinage of Beonna in the Light of the Middle Harling Hoard," *British Numismatic Journal* 55 (1986): 10-54, provides a comprehensive review of Beonna's coinage.

kingdom's monetary system in the first part of the tenth century that "the structure of the coinage reveals a compartmentalized coin circulation based on monetary regions usually striking different types. ... They had developed from the earlier Anglo-Saxon kingdoms and the regions formed in the aftermath of the Viking invasions."<sup>27</sup> Such a description suggests that the power exercised by the king was limited, although the hypothesis that the regional variation in coins prior to Edgar's reform signifies the independence of local ealdormen, at least with regard to the traditional royal prerogative of coinage, is a controversial one.<sup>28</sup> A parallel can perhaps be drawn with the political situation at the millennium, a time of considerable stress for the kingdom, during which, as Pauline Stafford notes, the control (and attendant profit) associated with the production of dies

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<sup>27</sup> Kenneth Jonsson, "The Pre-Reform Coinage of Edgar," 343. Blunt, Stewart and Lyon, *Coinage in Tenth-Century England*, provides a comprehensive treatment of the coinage, both by type and by region.

<sup>28</sup> Kenneth Jonsson, *The New Era*, 67-78, 185-92, finds the prevalence of local issues as evidence that ealdormen were controlling (and inhibiting) the interregional circulation of currency. David Michael Metcalf, "Were Ealdormen Exercising Independent Control over the Coinage in Mid Tenth-Century England?" *British Numismatic Journal* 57 (1988): 24-33, offers a detailed critique of Jonsson, answering his own question in the negative. To Jonsson's point on the circulation of pre-reform coins, Metcalf, 30, criticizing Jonsson for extrapolating from the odd, single coin, responds "from the regions south of the Humber, there are virtually no hoards, (and therefore there is no possibility of information on the age-structure of local currency). We have to rely on stray finds. These offer in principle much better, less ambiguous, evidence than hoards—provided there are enough of them. There are not. ... For the pattern to have any statistical validity, one would need a thick scatter of finds, giving a tolerably complete coverage of the regions to be defined. It would be reasonable to look for at least a dozen single finds from each region." Twenty-six years later, the explosion of single finds suggests that in the near future we will have sufficient evidence for a determination of whether Jonsson's patterns are, indeed, statistically valid.

devolved to local magnates at a time when the king was weak, conciliatory, or desperate to retain loyalty.<sup>29</sup>

If he wished to homogenize his currency, an Anglo-Saxon king such as Edgar would have had ample precedent to draw upon. In the late 840s, Æthelwulf (839-58) established a new type at both of Wessex's primary mints, Canterbury and Rochester, which served to render their products indistinguishable from one another.<sup>30</sup> Some twenty years later, under Æthelred I (866-71), Wessex's coinage began to more closely resemble that of the neighboring kingdom of Mercia.<sup>31</sup> After the dissolution of independent Mercia, Æthelred's brother Alfred (871-899) instituted a new coinage for both kingdoms in the mid-880s, struck at the formerly Mercian town of London.<sup>32</sup> This type, featuring the king's portrait, was dropped within a few years and replaced by a design depicting a small cross on the obverse and the moneyer's name in two lines on the reverse. This "Two-line" design endured until Edgar's reform, and, in its numerous subtypes, was the most common design employed in the earlier part of the 10<sup>th</sup> century (Figure 2), but it was hardly the only design to circulate.

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<sup>29</sup> Pauline Stafford, "Historical Implications of the Regional Production of Dies under Æthelred II," *British Numismatic Journal* 48 (1978): 35-51. Metcalf, "Independent Control," 31, does not see this regional production of dies as a loss of royal control over the coinage in the post-reform period.

<sup>30</sup> Hugh Pagan, "Coinage in Southern England, 796-874," in *Anglo-Saxon Monetary History: Essays in Memory of Michael Dolley*, ed. Mark Blackburn, (Leicester: University Press, 1986), 54.

<sup>31</sup> *Ibid.*, 60-61.

<sup>32</sup> Grierson, Philip and Mark Blackburn, *Medieval European Coinage I: The Early Middle Ages (Fifth-Tenth Centuries)* (Cambridge: University Press, 1986), 307-10.



Figure 2. Æthelstan Two-Line Penny  
EMC 1996.0204—Æthelstan Two-Line (924-39). *Moneyer—Manna (MAN/NA), no mint signature. British Numismatic Journal* 66 (1996), Coin Register, no. 204. © British Numismatic Society

Reforms addressed more than the appearance of the coinage. Weight and silver content were also regulated, albeit with varying degrees of success. On these issues, eighth- and ninth-century Anglo-Saxons can be seen emulating Carolingian efforts. The increased weight of Beonna's coinage appears to reflect a similar change instituted by Pepin the Short some years earlier. Similarly, the Mercian king Offa (757-796), whose coinage was the first to adopt a common obverse, raised the weight of his coinage near the end of his reign, bringing it closer to the heavier penny that Charlemagne had begun to issue in the early 790s. Interaction between England and the Continent was regular at this time, and Anglo-Saxon efforts towards monetary reform should be assessed in the context of Carolingian ones.<sup>33</sup>

Evidence of Carolingian efforts towards monetary reform can be adduced both from their coins and from texts. Charlemagne's "novi denarii," for instance, are noted in clause

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<sup>33</sup> Wilhelm Levison, *England and the Continent in the Eighth Century* (Oxford: Clarendon, 1946), is still fundamental for this issue.

5 of the 794 Synod of Frankfurt.<sup>34</sup> Along with substantially increasing the weight of the coinage, this reform marked the first Carolingian attempt to regulate the general appearance of both sides of the coin.<sup>35</sup> Such regulation continued over time and reached its apogee with the “Temple” type introduced by Louis the Pious in 822 and enduring to his death in 840 (Figure 3). Featuring a cross on the obverse and a temple on the reverse, this issue eschewed mint signatures entirely, creating “an absolutely uniform coinage circulating throughout the Empire, with no reference to specific localities.”<sup>36</sup> This uniformity dissolved with the division of the Empire upon Louis’s death, but efforts towards reform continued. The Edict of Pîtres, issued by Charles the Bald on June 25, 864, gives more information about the mechanics of reform in early medieval Western Europe than any other surviving text.<sup>37</sup> In it, Charles gives careful instructions to his moneyers concerning when they should start issuing a new type, how they should finance it, and the point at which the older type should no longer be considered valid, along with a detailed discussion of enforcement and prevention of fraud.

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<sup>34</sup> *Capitularia Regum Francorum*, eds. A. Boretius and V. Krause. Monumenta Historica Germaniae: Legum Sectio 2 (Berlin, 1883-97), 1:74.

<sup>35</sup> Grierson and Blackburn, 206, where this new coinage is categorized as a “belated element of the general reform of weights and measures which began with the *Admonitio Generalis* of 789, involving a change in the fundamental weight from the Troy or barley grain to the Paris or wheat grain.”

<sup>36</sup> *Ibid.*, 216.

<sup>37</sup> *Capitularia*, 2:310-28. Clauses 8-24 deal in whole or in part with matters of coinage. Philip Grierson, “The ‘Gratia Dei Rex’ Coinage of Charles the Bald,” in *Charles the Bald: Court and Kingdom*, eds. Margaret Gibson and Janet Nelson, 2<sup>nd</sup> ed. (Aldershot: Variorum, 1990), 54-57, discusses the edict in the context of Charles’s new coinage.



Figure 3. Louis the Pious Temple Penny  
EMC 1991.0116–Louis the Pious Temple (822–40). *Moneyer and mint not indicated.*  
*British Numismatic Journal* 61 (1991), Coin Register, no. 116. © British Numismatic Society

The history of the tenth-century Benedictine reform shows that Anglo-Saxons were not adverse to wholesale adoption of Carolingian examples, but in the case of the currency, that appears not to have occurred. It is unknown how familiar he was with the details of Anglo-Saxon and Carolingian precedents, but Edgar’s monetary reform differed from them in many respects. A brief summary of its particulars follows.<sup>38</sup>

Edgar undertook his reform of the coinage sometime in the final years of his reign, and a scholarly consensus has evolved fixing it at or near to 973.<sup>39</sup> A uniform type was produced throughout the kingdom, featuring the king’s portrait on the obverse, ringed by his name and title (“*rex Anglorum*,” or a shortened version thereof, whereas earlier coins had been inscribed with a variety of readings such as “*rex Anglorum*,” or a contracted form of “*rex totius Britanniae*” or simply “*rex*”) and a cross on the reverse, with the

<sup>38</sup> Jonsson, *The New Era*, is a detailed treatment of the reform, and usefully contrasts pre- and post-reform monetary regimes. For the most part, however, it focuses only on the “Reform Small Cross” type, the first of the reform issues.

<sup>39</sup> Michael Dolley, “Roger of Wendover’s Date for Eadgar’s Reform,” *British Numismatic Journal* 49 (1979): 1–11, goes so far as to argue for late summer or early autumn of this year, but few are comfortable with this level of precision. This chapter will assume a date of c. 973.

names of the moneyer who struck the coin and the town in which he did so on the outer circle (Figure 4). The assortment of previously circulating types appears to have disappeared very rapidly upon the introduction of this design.



Figure 4. Edgar First Reform Cross Penny  
EMC 2009.0302–Edgar First Reform Cross (973-75). *Moneyer Leofric (LEOF[ ]IC), Mint–Ipswich (GIPES)*. © Fitzwilliam Museum, Cambridge

Shortly after the accession of Edgar’s son Æthelred II, this “First Small Cross” type was replaced by another issue.<sup>40</sup> Keeping the king’s portrait on the front, these coins depicted the *manus Dei* on the reverse (Figure 5). Subsequent types would revert to a cross, and well into Stephen’s reign in the 12<sup>th</sup> century, all English coinage would conform to a basic pattern of obverse portrait and reverse cross (Figures 6-8). (The intricately designed religious motif on the penitential “Agnus Dei” issue, c. 1009, of which fewer than twenty examples have been found, constitutes a very limited exception to this principle.<sup>41</sup>)

<sup>40</sup> Metcalf, *Atlas*, 105-76, provides the naming conventions, as well as a brief review, with bibliography, of each of the later Anglo-Saxon types.

<sup>41</sup> Simon Keynes, “An Abbot, an Archbishop and the Viking Raids:” 190-200, discusses the context and possible motivation for the production of the Agnus Dei penny.





Figure 5. Æthelred II First Hand Penny  
EMC 2007.0155–Æthelred First Hand (c.979-c.985). *Moneyer–Goda (GOD), Mint–London (LVNDONI)*. © Fitzwilliam Museum, Cambridge



Figure 6. Æthelred II Last Small Cross Penny  
EMC 2006.0357–Æthelred Last Small Cross (1009-17). *Moneyer–Wulfsige (PULFZIG), Mint–Cambridge (GRANT)*. © Fitzwilliam Museum, Cambridge



Figure 7. Cnut Quatrefoil Penny  
EMC 2008.0384–Cnut Quatrefoil (1017-23). *Moneyer–Wulfgeat (PVLGAT), Mint–Lincoln (LIN)*. © Fitzwilliam Museum, Cambridge



Figure 8. Edward the Confessor Sovereign/Eagles Penny  
 EMC 2005.0248—Edward the Confessor Sovereign/Eagles (1056-59).  
*Moneyer—Thorfrithr (ÐORFERÐ), Mint—Thetford (ÐET)*. © Fitzwilliam Museum,  
 Cambridge

This new “Hand” coinage of Æthelred’s, issued so soon after Edgar’s original reform type, inaugurated a pattern of periodic *renovatio* featuring the introduction of a new, standard type to replace the old.<sup>42</sup> From the onset of reform to 1066, twenty-three distinct circulating issues can be identified, not counting sub-types, such as the three distinctive versions of the Hand coinage, or abortive issues, such as the Agnus Dei (Figure 9). The evidence of hoards suggests that upon the issue of a new type, the previous one was rapidly withdrawn from circulation, implying that only one type was in general use at any

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<sup>42</sup> Two related questions are among the most fervently debated later Anglo-Saxon numismatics: whether this pattern of *renovatio* was anticipated in Edgar’s original reform and whether it occurred at regular intervals. Michael Dolley, “An Introduction to the Coinage of Æthelræd II,” in *Æthelred the Unready: Papers from the Millenary Conference*, ed. David Hill, BAR British Series 59 (Oxford: B.A.R., 1978), 115-134, is representative of arguments favoring a pre-determined system whereby a new coinage would be introduced every six years at Michaelmas. (E.g., “...basically the objection to the sexennial cycle seems to be...that the Anglo-Saxons could not have been clever enough to devise a sophisticated system that worked the first time it was tried.” Ibid., 122.) John Brand, *Periodic Change of Type in the Anglo-Saxon and Norman Periods* (Rochester, 1984) is a controversial response to Dolley. Ian Stewart, “Coinage and Recoinage after Edgar’s Reform,” in *Studies in Late Anglo-Saxon Coinage in Memory of Bror Emil Hildebrand*, ed. Kenneth Jonsson (Stockholm: Svenska Numismatiska Föreningen, 1990), 457-85 is a less heated review of Dolley’s positions and the difficulties they present.

given time. This presents a striking contrast to the pre-reform period, when coins minted decades apart from one another circulated together.



Figure 9. Æthelred II Agnus Dei Penny  
EMC 1964.0043–Æthelred Agnus Dei (1009). *Moneyer–Blacman (BLACAMAN), Mint–Derby (DEREBY)*. P. Stott, 'Saxon and Norman Coins from London', in *Aspects of Saxon-Norman London: II: Finds and Environmental Evidence*, ed. by A. Vince (London, 1991), coin no. 87. © London and Middlesex Archaeological Society

Coins struck after 973 were somewhat heavier than those struck earlier in the century, and these varied less in weight from one another than did pre-reform coins, suggesting they were manufactured to a finer tolerance.<sup>43</sup> Of perhaps greater interest is the discovery by Bertil Petersson that weight standards differed not only between the reform types, but, at least through the reign of Æthelred, *within* types as well. Thus, for instance, the first reform type becomes progressively lighter from the end of Edgar's reign, through that of Edward the Martyr (975-78) and into the beginning of Æthelred's.<sup>44</sup> The purpose behind such multiple weight standards is by no means obvious, and the picture is complicated by

<sup>43</sup> David Michael Metcalf, "The Monetary History of England in the Tenth Century Viewed in the Perspective of the Eleventh Century" in Blackburn, *Anglo-Saxon Monetary History*, 150-53. H. Bertil A. Petersson, "Coins and Weights: Late Anglo-Saxon pennies and mints c. 973-1066" in Jonsson, *Studies in Late Anglo-Saxon Coinage*, 219-34, 347, demonstrates that such variations that do exist are greater early in the reform than in the mid-11<sup>th</sup> century.

<sup>44</sup> H. Bertil A. Petersson, "Anglo-Saxon Currency: King Edgar's Reform to the Norman Conquest" (Ph.D. diss., Lund, 1969) and developed in idem, "Coins and Weights," 358-73.

the variations in weight evident in coins produced in different regions—and even between mints in the same region—but one implication is clear: the only way in which coins of different weights could have circulated concurrently without running afoul of Gresham's law that bad money drives out the good would be if the Anglo-Saxon currency was overvalued, with coins commanding a higher rate of return than that justified by their bullion content alone.<sup>45</sup> As for that content, the initial reform coins were of a very high degree of purity (96-97%) when compared to the specimens they replaced (50-70%).<sup>46</sup> Although this level was not maintained, later reform coins were still on average 90-95% silver.

There are a number of other ways in which coins after 973 might have been regulated. Although not common, irregular coins, such as “mules” that share the obverse of one issue and the reverse of another, misstrikes, and overstrikes in which a new image is stamped on a preexisting coin continued to be produced after the reform.<sup>47</sup> The die-axis,

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<sup>45</sup> C.S.S. Lyon, “Variations in Currency in Late Anglo-Saxon England,” in *Mints, Dies and Currency: Essays Dedicated to the Memory of Albert Baldwin*, ed. R. A. G. Carson (London: Metheun, 1971), 101-20, reviews Petersson's evidence, accepting his interpretation while challenging some of his conclusions as to the purpose behind an overvalued coinage.

<sup>46</sup> David Michael Metcalf and J. P. Northover, “Interpreting the Alloy of the Later Anglo-Saxon Coinage,” *British Numismatic Journal* 56 (1986): 50-51. See, however, Metcalf and Northover, “Sporadic Debasement in the English Coinage, c.1009-1052,” *Numismatic Chronicle* 162 (2002): 217-36, for evidence that some, although certainly not all, coins in the 1010s had a silver content below 90%, with a few as low as 70%.

<sup>47</sup> On mules, George C. Brooke, “Quando Moneta Vertebatur: The Change of Coin-Types in the Eleventh Century; Its Bearing on Mules and Overstrikes” *British Numismatic Journal* 20 (1929-30): 110-12, which sees them as illicit, and R.H.M. Dolley and Elmore Jones “The Transition between the ‘Hand of Providence’ and ‘Crux’ Types of Æthelred II,” *Commentationes de Nummis Saeculorum IX-XI in Suecia Repertiis I* (Stockholm: 1961), 180, which sees them as a response to special circumstances, but licit.

or orientation of the reverse die in respect to the obverse also varies among post-reform coins.<sup>48</sup> Nor, as is the case for weight and purity, is there any extant legislation that treats issues such as these. There appear to have been certain criteria (moneyer and mint signatures, size and general appearance in addition to weight and purity) for which uniformity was sought, but these uncontrolled aspects indicate that—in accord with our understanding of standardization—the reform of the coinage was undertaken to achieve something other than uniformity.

Although Edgar's reform is simple in conception, the execution of such a far-reaching scheme must have required an impressive degree of administrative competence as well as an acceptance throughout the realm of the king's authority to implement it.<sup>49</sup> In his inimitable fashion, Patrick Wormald describes the reform of the kingdom's coinage as "the most spectacular demonstration of the power of later Anglo-Saxon kingship."<sup>50</sup> Fair enough. But what exactly did wielding such "power" achieve? And what goals was it intended to further? Ian Stewart speculates that "[i]t seems most probable that [Edgar] reformed his coinage for the most obvious reasons: that the currency was heterogeneous,

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<sup>48</sup> Michael Dolley, "The Significance of Die-Axis in the Context of the Later Anglo-Saxon Coinage," *British Numismatic Journal* 27 (1952-54): 167-72, argues that the vast majority of post-reform coins are oriented to 0, 90, 180 or 270 degrees, and that a disproportionate number of those that aren't were struck in York. The single finds examined in this chapter indicate that post-reform coins are more likely to be oriented along these axes than pre-reform coins, but the correlation between those that aren't and coins struck in York is weak.

<sup>49</sup> Jonsson, "The Pre-Reform Coinage of Edgar, 330," "the reform had produced a stunning change in the entire structure of the coinage, affecting its administration, circulation and profit taking."

<sup>50</sup> Wormald, "Æthelred the Lawmaker," 65.

in part debased and in need of improvement and standardization.”<sup>51</sup> This begs the questions that lie at the heart of this dissertation. In what ways would heterogeneous have been seen as inferior to homogenous? What would it have meant to be in need of standardization, and how does standardization equate to improvement? That Stewart is not suggesting that standardization is an end in its own right may be inferred from his observation that “regularity for its own sake is not a concept which commends itself unduly to modern governments beyond the conduct of routine business.”<sup>52</sup> What ultimate end, then, were the substantial energies directed at effectuating monetary reform intended? To answer this, it is necessary to turn to the coins themselves.

### **The Physical Evidence**

The following is an examination of the nature of the currency in pre- and post-reform Anglo-Saxon England with the intent of determining what effects the reform may have produced. Tables detailing the findings of this study can be found in Appendix C.

### **The Regions**

Two regions of Anglo-Saxon England are surveyed here. Wessex constituted the traditional heart of the larger kingdom established by the successors of Alfred the Great. “Wessex” has been defined as it would have existed in the later ninth century, bounded by Surrey and Sussex in the east, the Thames valley and the Severn estuary in the north and Cornwall in the west. It comprises the historic counties of Berkshire, Devon, Dorset,

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<sup>51</sup> Stewart, “Coinage and Recoinage,” 462.

<sup>52</sup> Ibid., 474, implying that this would hold true for medieval administrations as well.

Hampshire, Somerset and Wiltshire. This is the region in which the authority of the monarchy had longest been established, and, as indicated graphically by David Hill, even in the tenth century this is where the kings spent most of their time.<sup>53</sup> Both the Middle Saxon emporium of ‘Hamwic’ and its tenth-century successor—the burh of Southampton, located a few hundred yards away—functioned as entrepôts for foreign goods and potentially for foreign coins. The kingdom’s capital, Winchester, in Hampshire, was the region’s largest mint. Twenty-seven further mints that operated for at least part of the period under study have been identified and definitively connected to the Wessex counties: two in Berkshire (Reading and Wallingford); four in Devon (Barnstaple, Exeter, Lydford and Totnes); four in Dorset (Bridport, Dorchester, Shaftesbury and Wareham); two in Hampshire: (Salisbury and Southampton); ten in Somerset: (Axbridge, Bath, Bruton, Cadbury, Crewkerne, Ilchester, Milborne Port, Petherton, Taunton and Watchet); and five in Wiltshire (Bedwyn, Cricklade, Malmesbury, Warminster, Wilton).

East Anglia was selected to balance Wessex. Prior to the Danish incursions of the later ninth century, an independent Anglo-Saxon kingdom had enjoyed an almost uninterrupted existence in East Anglia of nearly three hundred years. When Edmund the Elder (899-924) took control of the area for the burgeoning Wessex dynasty (c. 917), this did not represent a restoration of ancient liberty; instead it initiated a period of domination by new, external forces. Kings from Wessex were concerned to distribute land and authority in this newly occupied region to persons and institutions they could

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<sup>53</sup> David Hill, *An Atlas of Anglo-Saxon England* (Oxford: Blackwell, 1981), 82-91.

trust to represent them.<sup>54</sup> Leading figures, as appointees of the king who enjoyed a fair degree of autonomy, could become quite powerful.<sup>55</sup> Their potential for independent action may be reflected in the coins. East Anglia's pre-reform coinage was unique among all regions in that it kept to a single style, the "Bust Crowned" type, from Edward's conquest until 973.<sup>56</sup> A wealthy and fertile province, and one with its own long-standing ties to foreign trade through the Middle Saxon emporium of Ipswich, East Anglia has enough economic similarities to Wessex to make valid comparisons. As this study is designed to examine coins circulating in regions under the control of the Wessex dynasty and its successors, East Anglian evidence from before that control was achieved will not be included. Thus, whereas the starting point for Wessex is the beginning of Edward's reign in 899, in East Anglia it is 920. (In both cases, the concluding point is, of course, 1066.) The region covers the two historic counties of Norfolk and Suffolk. Five mints are known to have operated in East Anglia—Norwich and Thetford in Norfolk and Bury St. Edmunds, Ipswich and Sudbury in Suffolk. (The relationship of the counties of Wessex and East Anglia to the whole of Anglo-Saxon England is depicted in Figure 10.)

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<sup>54</sup> Fleming, "Monastic Lands," 247-65.

<sup>55</sup> Cyril Hart, "Æthelstan 'Half-King' and his Family," *Anglo-Saxon England* 2 (1973): 115-44, traces the career of one mid-10<sup>th</sup> century East Anglian example.

<sup>56</sup> Ian Stewart, "English Coinage from Æthelstan to Edgar," *Numismatic Chronicle* 148 (1988): 209, "Why East Anglia should have adhered exclusively to a portrait coinage is unclear, but it goes back to a time before Athelstan and demonstrates the cultural and perhaps economic detachment of one of the main areas of Danish settlement."



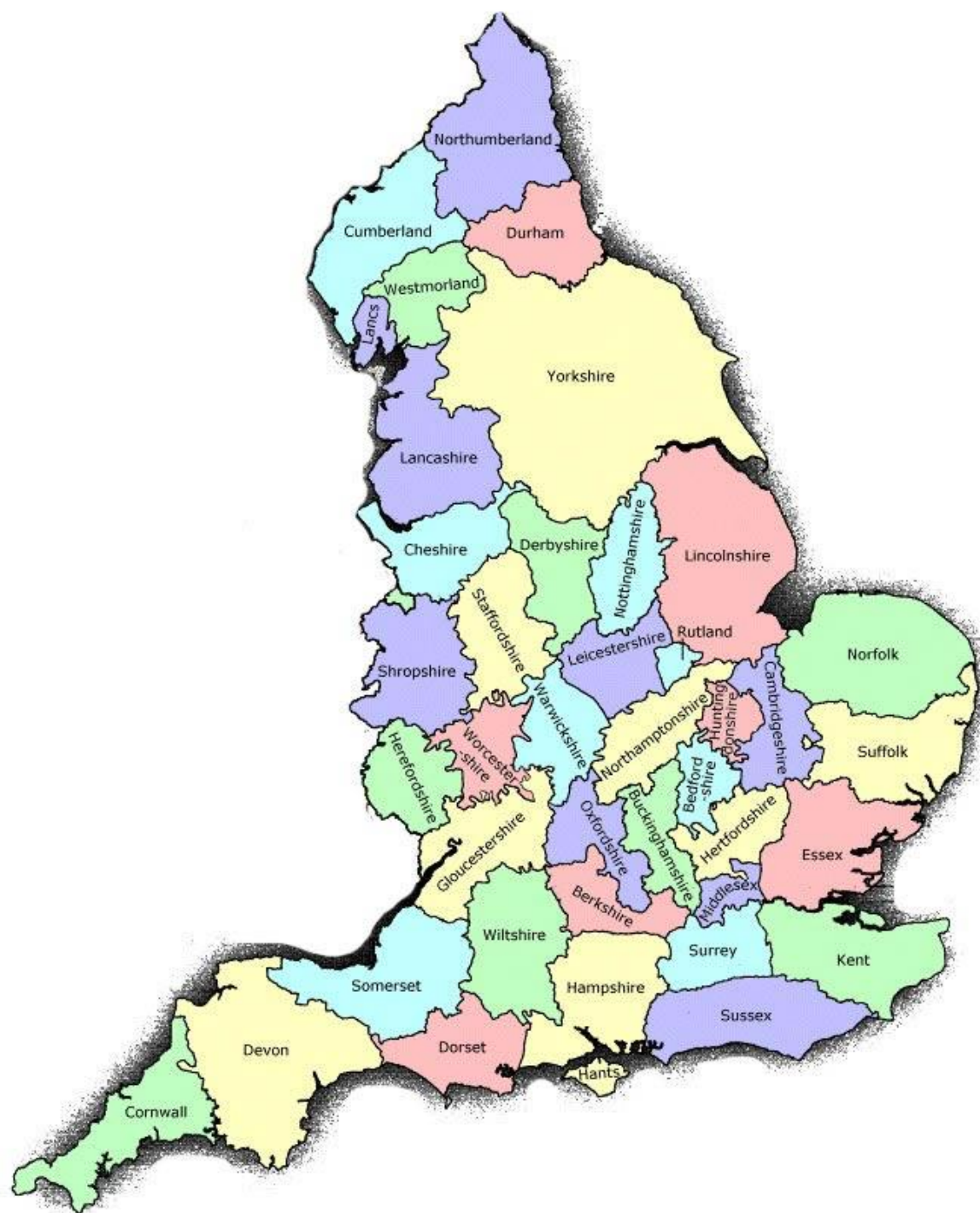


Figure 10. Map of England Denoting the Traditional Counties

### Single Finds

This study uses two types of evidence: coins found singly, presumably the product of chance losses; and coins found in groups, or hoards, deliberately concealed for one purpose or another. Until recently, single finds had been relatively rare. The proliferation of metal detectors over the last thirty years, however, has greatly increased the number of discoveries, particularly of single finds, but of hoards as well. In 1980-81, when David Metcalf published his “Continuity and Change in English Monetary History, c. 973-1086,” he had a total of some 270 examples, covering all of England and Wales.<sup>57</sup> In 1998, the same author’s *An Atlas of Anglo-Saxon and Norman Coins Finds, c. 973-1086*, working within the same geographic boundaries, had 685 examples to work from.<sup>58</sup> This study, covering a fraction of that area, was able to make use of 573 single finds. Comparisons cannot be exact, as Metcalf began with Edgar’s reform, rather than with 900/920. Pre-reform single finds, however, are not common, making up only 100, or 17.5% of the 573 coins utilized here.<sup>59</sup> Thus, of the 374 East Anglian single finds in this

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<sup>57</sup> David Michael Metcalf, “Continuity and Change in English Monetary History, c. 973-1086,” pt. 1, *British Numismatic Journal* 50 (1980): 20-49; *ibid.*, pt. 2, *British Numismatic Journal* 51 (1981): 52-90.

<sup>58</sup> Metcalf, *Atlas*, xiv, “the total available has now more than doubled, partly through archaeological excavation, but thanks largely to the contributions of metal-detectorists, gathered up in the annual ‘Coin Register’ of the [*British Numismatic*] *Journal*.”

<sup>59</sup> This figure includes foreign and domestic coins. If only Anglo-Saxon coins are considered, the proportion drops to 94 out of 548, or 17.1%. Metcalf, “Monetary History,” 157, encounters a similar ratio, although once again working with somewhat different date ranges: “All told, there are over 270 single finds recorded from England in the eleventh century, whereas, for a period of almost the same length, a first sweep has produced fewer than 40 from the tenth century.”

study, 308 date to the reform coinage, while Metcalf's *Atlas* recorded only 111 single finds for the region.<sup>60</sup> Further, Metcalf's total is inflated by the inclusion of coins struck until the Domesday survey of 1086, twenty years after this study terminates.

I used the Fitzwilliam Museum's *Early Medieval Corpus* to tabulate the single finds.<sup>61</sup> This database is designed to bring together all single finds discovered in the British Isles. It is updated on a regular basis and cross-listed with the ongoing *Sylloge of Coins of the British Isles* series. Single finds discussed in this report are identified by their *Early Medieval Corpus* (henceforth, *EMC*) number. As the *Corpus* is intended to be exhaustive, it can err on the side of inclusiveness. Care must be taken to cross-check *Corpus* entries against the hoard data, so as to distinguish the occasional coin such as *EMC* 1042.1670, which appears as a single find but is actually a part of the Stockbridge Down hoard.

The 573 single finds feature every English ruler from Edward the Elder to Harold II (1066), and all major reform issues are present. Of the East Anglian coins, 262 can be tied to thirty-one of the kingdom's mints. The 129 attributable coins found in Wessex come from thirty-seven mints. Between the two samples, forty-eight different mints are recorded. In his 1990 study, Petersson presents a census of 44,350 Anglo-Saxon reform-era pennies found in Scandinavian hoards.<sup>62</sup> He finds one hundred seven different mint

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<sup>60</sup> Metcalf, *Atlas*, 211-12.

<sup>61</sup> Fitzwilliam Museum, *Early Medieval Corpus of Coin Finds, 410-1180*, (Cambridge); available at <http://www.fitzmuseum.cam.ac.uk/dept/coins/emc/>.

<sup>62</sup> Petersson, "Coins and Weights," 207-433.

signatures, three of which he can only tentatively place, and seventeen that cannot be located at all.<sup>63</sup> The twenty-five most common of Petersson's mints are all represented among the single finds studied here. London, unsurprisingly, was the most prolific mint. It achieved a plurality in both regions, and its 98 coins represent 25.3% of all attributable single finds. This number is reasonably close to the 22.6% calculated by Petersson in his survey of coins.<sup>64</sup> In comparison with Petersson's much larger data set, therefore, the distribution of single finds in this sample appears to constitute a representative selection of Anglo-Saxon coinage as a whole.

### Hoard

For purposes of comparison, this study also examined all recorded coin hoards from East Anglia and Wessex. A hoard is understood to consist of two or more coins found in the same context. It is thus distinguished from single finds, as the latter are considered to more likely be the product of chance losses. This distinction is somewhat arbitrary; it is of course possible that a single coin could have been deliberately secreted away, just as it is possible that more than one coin could be lost at the same time. In principle, however,

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<sup>63</sup> Metcalf, *Atlas*, has associated a handful of these undetermined mints with East Anglia and Wessex, namely 'Brygin,' 'Eanbyrig,' and 'Niwan' (Dorset), 242; 'Dyr' and 'Dernt/Derne' (Suffolk) 215, 'Fro' (Somerset), 248; 'Geotanburh' (Devon), 247; 'Wilton'—an alternate to the Wiltshire mint of the same name—(Norfolk), 215. These connections are tentative at best, and have not been adopted in this study. In practice, these mints are immaterial; none of the single finds yielded a coin bearing any of these names, which is hardly surprising given that collectively these eight mints account for only 70 coins in Petersson's survey—a ratio of 1:633. Petersson, "Coins and Weights," 214-15.

<sup>64</sup> Petersson, "Coins and Weights," 213.

this classification allows for the introduction of two very different types of evidence.<sup>65</sup>

Hoardings potentially represent not just accumulations of currency, but of wealth. In such a hoard, silver coins would be accumulated for their value as bullion, as opposed to their value as the officially recognized medium of exchange. The Cuerdale hoard, concealed in Lancashire shortly after the turn of the tenth century but before the region was under the control of Wessex, and consisting of an array of over 7500 Anglo-Saxon, Danelaw, Continental and Abbasid coins, encompassing mints from Wessex to present-day Afghanistan, along with silver ingots, hacksilver and silver ornaments and jewelry, is an outstanding example of this type of hoard.<sup>66</sup> In the late tenth and eleventh centuries, tens of thousands of Anglo-Saxon coins were deposited in Scandinavian sites and along the Baltic littoral under similar circumstances, usually mixed indiscriminately with Ottonian coins and indigenous imitations of the Anglo-Saxon issues. In comparison, the contemporary hoards of Wessex and East Anglia only contain Anglo-Saxon coins, while the majority of the post-reform hoards, restricted to a single type, are even more homogenous.

The variation between East Anglian and Wessex hoards, as well as that between those that pre-date and those that post-date the reform, can be seen in Appendix A, which

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<sup>65</sup> Metcalf, *Atlas*, 90, describes the two types of evidence contributed by hoards and single finds as “complementary.” At the same time, due to the random nature of single finds, he also “*unhesitatingly prefers the single finds as evidence of the composition of the regional currency*,” (emphasis in the original).

<sup>66</sup> Christopher Blunt, “The Composition of the Cuerdale Hoard,” *British Numismatic Journal* 53 (1983): 1-6, provides a complete breakdown of the different elements of the hoard.

contains details of every hoard used in this study. All hoards listed in the Fitzwilliam Museum's *Checklist of Coin Hoards from the British Isles, c. 450-1180* that were deposited between 900 and 1066 in Wessex and between 920 and 1066 in East Anglia were considered.<sup>67</sup> (Dates of deposition are difficult to determine. As a rule, the date of the latest minted coin is used, although of course this only truly provides a *terminus post quem*. These estimates should be considered as such, although in a society as highly monetized as later Anglo-Saxon England appears to have been, they are probably precise to within a couple of years.) The *Checklist* gives twenty-five hoards that meet this criteria, although upon subsequent examination, number 250 on the Fitzwilliam *Checklist* (henceforth *FM*), a hoard from Salisbury Plain, Wiltshire, for which the date given is 1065, contains a coin of William I.<sup>68</sup> As it obviously post-dates the Conquest, this hoard has been excluded from analysis. A total of 1,794 coins can be identified in these hoards, for 1,419 of which a mint, or at least a region in which they were minted, is indicated.

The hoards, and the circumstances of their recovery, are varied in the extreme. In size, they range from 2 (*FM* 104) to 883 (*FM* 107). One (*FM* 133) was uncovered in the late seventeenth century, while several others were discovered at the end of the twentieth or the beginning of the twenty-first centuries. Some were found in the course of

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<sup>67</sup> Fitzwilliam Museum, *Checklist of Coin Hoards from the British Isles, c. 450-1180* (Cambridge); available from <http://www.fitzmuseum.cam.ac.uk/dept/coins/projects/hoards/index.list.html>.

<sup>68</sup> Martin Allen, "Volume of the English Currency," 508. Interestingly, the other coin identified from this hoard is foreign, featuring Magnus of Denmark. It would be useful to determine whether the Conquest was marked by an influx of foreign coins.

methodical excavation (e.g., *FM* 213 and 251), others by metal detector (e.g., *FM* 220b and 228a), still others were unearthed accidentally in the course of renovations (e.g., *FM* 178 and 232), whereas in some cases (e.g., *FM* 185) the circumstances of discovery are unknown. A striking number (*FM* 104, 133, 140, 211, 229 and 251) were found in contexts relating to burial, having been deposited directly in graves or elsewhere in cemeteries.

Even more than with the single finds, the evidence provided by the hoards is far from complete. Two factors are responsible for this. First, the coins themselves are often in poor shape after centuries in the ground. *FM* 197, from Great Barton, Suffolk, for instance, is a fused lump of coins, apparently all from Æthelred II's Crux issue. Mint markings can only be discerned on three of them. The very size of the hoard ( $50 \pm 2$ ) could only be arrived at by weighing the hoard and dividing by the average weight of surviving Crux coins. Coins from many other hoards survive only in a fragmentary or greatly damaged state.

The other problem with hoards is that for older ones, or for those uncovered by amateur enthusiasts, the record is often incomplete. *FM* 232, for instance, from Thwait, Suffolk, originally consisted of 600-700 coins. Of those, only 224 can be traced with some confidence. The rest were distributed when the hoard was found in 1832. Some no doubt ended up in the hands of private collectors. Many of the poorer specimens may have been melted down for their silver. Alternatively, in the case of recently uncovered

hoards, such as that found in Brantham, Suffolk, in 2003, a full report still awaits publication.<sup>69</sup>

An obvious question arises in the case of damaged or incomplete hoards, namely whether the surviving material is representative of the whole. The possibility that the exotic and unusual might be *overrepresented* should be borne in mind. In the instance of the Thwaite hoard, it is known that the British Museum selected 180 coins from the hoard.<sup>70</sup> If the Museum put a premium on variety, obtaining as many different mints and moneyers for its collection as possible, then what has since been lost may have been duplicates of what the Museum obtained for itself. Antiquaries of various stripes followed similar principles of selection and preservation from the 18<sup>th</sup> century into the 20<sup>th</sup>, until the duplicates' evidentiary value for die-matching and statistical analysis was recognized. It could be argued, therefore, that rare mints, and certainly unusual foreign coinage, stood a greater chance of being preserved than more "ordinary" coins from London, Winchester and the like.

Such speculation is of limited utility, however. Recognizing the impossibility of reconstituting these hoards and of reconstructing their damaged coins, this study has followed a simple rule. Only coins that can be clearly identified are counted. Thus, for example, the Thwaite hoard consists of 224 coins, all Anglo-Saxon. For 28 of those coins, the mint attribution is either blundered, uncertain or missing. (The Thwaite hoard

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<sup>69</sup> The Brantham coins are *EMC* 1300.0341 to 1300.0430. Details of this hoard will be published by Anna Gannon in a forthcoming issue of the *British Numismatic Journal*.

<sup>70</sup> Metcalf, *Atlas*, 155-56 describes the distribution of the Thwaite hoard.



is notable for its large proportion of cut halves and quarters. In many instances, the surviving fragment does not contain the mint signature.) Therefore, for purposes of determining regional distribution, the hoard is considered to consist of 196 coins. Similarly, although the Great Barton hoard may be approximately fifty coins, only the three for which a provenance can be ascertained will be included when considering circulation.<sup>71</sup>

With the uncertainties surrounding hoard evidence, it is perhaps reassuring to see how similar the coins in hoards are to those from the single finds. The fifteen hoards of East Anglia consist of 1,419 identifiable coins, 899 pre-reform and 520 post-reform. The nine from Wessex comprise a total of 375 coins, 52 pre-reform and 323 post-reform. As is the case with the single finds, coins from the hoards seem representative of the English currency as a whole. Attributable coins from East Anglian hoards are connected to 34 different mints, and the slightly smaller sample from Wessex is connected to 51. Between the two, the 637 coins that can be tied to a particular location feature 59 different mints. As was true of the single finds, London was the most ubiquitous of these, with 188 coins representing 29.5% of the total.

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<sup>71</sup> Michael Dolley, "Three Forgotten English Finds of Pence of Æthelred II," *Numismatic Chronicle* ser. 6, 18 (1958): 101, noting that Thetford is the source of the three coins that can be determined, opines that as "Thetford was the nearest mint of any importance," the coins were "probably all of the same mint." Such extrapolations may or may not prove valid, but they have been eschewed for this study.

## Findings

The 2,367 coins that comprise hoards and single finds allow us to explore some questions raised in the kingdom's legal codes. For instance, as will be seen, the laws repeatedly state that the kingdom should have one coinage, of good weight and purity. Does this betray an anxiety about either foreign or counterfeit coins, and, if so, might that mean that Edgar's standardization was intended to alleviate some threat to the kingdom's currency, either internal or external? It seems unlikely. There were no counterfeits among the single finds and just one forgery was found among the hoards, and it was of post-reform vintage.<sup>72</sup>

Foreign coins were only slightly more common. Of the 573 single finds, 25 are foreign, coming from a range of different political entities. These coins are enumerated and briefly described in Appendix B.

For nearly half of these foreign coins, the evidence is ambiguous as to whether they could possibly have been brought into England during the time period under study. Seven of the East Anglian and five of the Wessex coins have a validity period that overlaps later Anglo-Saxon England. While they may have been produced within this span, they might also have been minted either before 900/920 or after 1066 (or, in the case of some poorly preserved or recorded examples, both). In order to account for these uncertainties, three separate calculations are provided in Appendix C. The *minimum* includes only coins that fall entirely within this range, and excludes all that overlap. The *maximum* includes all

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<sup>72</sup> FM 200, from Shaftesbury, Dorset.

coins that could possibly have been minted in this period. The *weighted* gives a partial, fractional value to each coin that overlaps, based on the proportion of its validity period that falls within the target range. For example, *EMC* 1977.0226, a Samanid dirham featuring Amir Isma'il ibn Ahmad (892-907) was excavated at Winchester, Hampshire, but no clear date can be determined for it. This coin could have been produced over a fifteen year period, but only seven of those years are valid for this study. Therefore, this coin is weighted as  $7/15$ , or .46 coins. (On the other hand, *EMC* 1996.0265, a dirham featuring the same ruler found in Norfolk, was not considered because East Anglia did not come under the control of Wessex until after this coin was no longer in production.)

Obviously, this methodology is somewhat arbitrary. It is certainly possible that coins may not have entered England until some years after they were produced—in the case of Samanid coins, with their capital in modern-day Uzbekistan, it would be remarkable if they had gotten there more quickly. Inherent errors are perhaps compensated for by the inclusion of coins that overlap on the other end of the chronological spectrum. These three different calculations provide a range within which the frequency of foreign coins can be located.

Foreign coins are scarce in the hoards as well—even more so than is the case with single finds. All of the coins from East Anglian hoards are of Anglo-Saxon manufacture. Wessex hoards produced 22 foreign coins, all coming from one hoard (*FM* 213). This post-reform hoard from Southampton is the apparent exception that proves the rule about the exclusion of foreign coins from circulation in England, because it consists of only these 22 coins. None of the hoards had an admixture of Anglo-Saxon and foreign coins.

The Southampton hoard is unusual in many respects, and should be examined in some detail, as it illuminates how and where foreign coins came into Anglo-Saxon England. It was uncovered in 1967, in the course of an archaeological excavation of the early medieval site.<sup>73</sup> Southampton's location in an estuary gave it a sheltered harbor and made it a natural focus for trade emanating from across the English Channel. Its position is analogous to that of selected locations in the 9<sup>th</sup>-century Carolingian Empire, where firm restrictions on the importation of foreign coins have led to the virtual exclusion of alien currency from hoards and single finds situated in the Carolingian heartland.<sup>74</sup> Continental merchants were required to convert their foreign coins at border towns that served as combination toll checkpoints, custom houses and mints, such as Quentovic, situated where the Canche debouches into the English Channel. Dorestad's position at the mouth of the Rhine, and thus the natural funnel for all trade coming from the North Sea, created so great an influx of foreign silver that its mint was the second largest in the Carolingian Empire under Louis the Pious.

That the coins of the Southampton hoard were Norman, and that Southampton was the closest English port for trade emanating from Normandy make it all the more likely that these coins were recent imports, intended for a mint where they would be rendered into acceptable coin of the realm. This tidy solution is somewhat complicated by the fact

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<sup>73</sup> Michael Dolley, "The Coins and Jettons," in *Excavations in Medieval Southampton, 1953-1969. Vol. 2: The Finds*, eds. Colin Platt and Richard Coleman-Smith (Leicester: University Press, 1975), 321-28.

<sup>74</sup> Michael McCormick, *Origins of the European Economy* (Cambridge: University Press, 2001), 320-21, 654, 670-71.

that Southampton's mint does not appear to have produced any coins after Cnut's "Quatrefoil" issue, estimated to have been struck c. 1017-23/4, and the Norman specimens have been tentatively dated to c. 1030.<sup>75</sup> A functioning mint was not necessary, however, provided there were provisions for the exchange of coins, and it is still quite possible that a hypothetical trader might have intended to convert his coins, but that they were either lost or he was forced to conceal them and was not able to subsequently recover them.<sup>76</sup> Another interpretation has been put forth by Michael Dolley, who argues that as the rouleau of coins was found in a site that had been used as a cesspit, they had been deliberately discarded.<sup>77</sup> The idea that someone might have voluntarily dispossessed himself of a substantial amount of valuable silver seems farfetched; Dolley's reasoning is that the coins themselves were illicit, either because they had been obtained by improper means or because of the strength of the legal strictures against the use of foreign coins, and that therefore "the coins may have been jettisoned by their owner because illegally in his possession." This raises any number of problems, most notably how (and why) such an individual would have come by the coins in the first place if they were such dangerous contraband. The image of a desperate figure

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<sup>75</sup> Metcalf, *Atlas*, 242. Southampton only resumed minting operations after the Conquest.

<sup>76</sup> Barrie Cook, "Foreign Coins in Medieval England," in *Moneta Locale, Moneta Straniera: Italia ed Europa XI-XV Secolo*, The Second Cambridge Numismatic Symposium, ed. Lucia Travaini (Milan: Società Numismatica Italiana, 1999), 238, considers such a scenario likely.

<sup>77</sup> Dolley, "The Coins," 326.

hurling his treasure away as the authorities closed in is certainly picturesque, but it should be firmly resisted.

A final peculiarity associated with this hoard is that the excavation of medieval Southampton that uncovered it found no Anglo-Saxon coins whatsoever, either as hoards or single finds. Southampton was an active location, and one can envision currency regularly changing hands, but these Norman deniers stand alone in an eight-hundred year period between a bronze coin of Constantine and a penny of Henry I.

To summarize, it seems clear that foreign coins were largely, but not completely, excluded from both East Anglia and Wessex before and after the reform. The single finds for East Anglia (Table 2, Appendix C) show a minor decrease in the proportion of foreign coins over this period, while those of Wessex (Table 4) reveal an even smaller increase. When the two regions are combined (Table 6) a slight decrease in the percentage of foreign coins is apparent, but given their scarcity (9 definite coins and 16 other weighted ones), it seems unwise to read too much into this. The overall total for the single finds of 3.18% foreign accords fairly closely to the 3.94% obtained by David Metcalf, who looked at a larger area and employed a somewhat different methodology in 1998.<sup>78</sup> This number is more than twice the 1.23% yielded by the hoards (Table 12), but both types of evidence illustrate substantially the same point: foreign coins could be found in later Anglo-Saxon England both before and after Edgar's reform, but they were never common. Further, it should not be assumed that all of these coins were used in

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<sup>78</sup> Metcalf, *Atlas*, 85-89, 27 out of 685, or 3.94%. It should be emphasized that Metcalf's survey had somewhat different parameters and did not weight coins.

commercial exchange. Instead, they might have been imported with the intent to melt them down and convert them into Anglo-Saxon coins (as has been suggested in the case of the Southampton hoard), or for their value as bullion, or for aesthetic purposes (as in the case of Byzantine milaresion, which was fashioned into a brooch) or simply as curiosities. Only one, a Hiberno-Norse Jewel Cross imitation found in Norfolk (*EMC* 1998.2148), could have passed as a domestic penny.

If the reform had little effect on the presence of counterfeit or foreign coins, what did it do? Two trends are apparent: 1) Coins appear to have circulated more freely between different regions of the kingdom, and 2) They appear to have been in greater use. In both East Anglia (72.2% - Table 3, Appendix C) and Wessex (90% - Table 5), locally produced coins constitute a pronounced majority of the single finds in the period before reform, although the relative paucity of pre-reform coins, and the sporadic use of mint-stamps on the ones we do have, means that caution must be exercised in drawing conclusions, as the sample size—less than 20 for each area—is extremely small. In the 93 years after the reform, these proportions are nearly reversed, with locally manufactured coins only accounting for 26.6% of the East Anglian single finds and 42% of the those from Wessex .

On this question of local versus interregional circulation, the hoards again substantially agree with the single finds. In pre-reform East Anglia, nearly 82% of the coins for which a region of production can be determined are local (Table 9). In the post-reform period, that proportion drops to 29.3%. Pre-reform Wessex does not offer a baseline for comparison, as the origin of only 1 of the 52 pre-reform coins can be

determined. In the period after reform, however, the percentage of local coins found in Wessex hoards is almost identical to that found in East Anglia (29.3% - Table 11).

The other point has already been alluded to. In both East Anglia and Wessex, there are far more post-reform single finds than pre-reform. A partial explanation is that the spans are not of the same duration; in Wessex, the post-reform period is 27% longer, and in East Anglia that figure rises to 56%. The discrepancy in single finds is far greater, however. In East Anglia, the ratio of post-reform to pre-reform domestic coins is greater than 4.6:1. In Wessex, it is nearly 5.2:1.<sup>79</sup> The obvious explanation, that there were more coins circulating after Edgar's reform than before, does not seem to apply.<sup>80</sup> Given that single finds are understood to represent chance losses associated with quotidian activities, their relative scarcity in the pre-reform period suggests that they were used less often in exchange, or by a more restricted segment of the population; this in turn would suggest that pre-reform England did not possess as monetized an economy as post-reform, regardless of the size of their respective currencies.<sup>81</sup>

That greater use was made of coins in the post-reform period does not mean that the reform *created* greater monetization. Similarly, that local coins were in the minority after

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<sup>79</sup> These numbers only take into account Anglo-Saxon coins, but would not be significantly altered by the inclusion of foreign finds. Metcalf, "Monetary History," 157, provides approximate figures that yield a ratio of better than 6.7:1.

<sup>80</sup> Ibid., 141, 146, 156. Martin Allen, "Volume of the English Currency," 487-501, summarizes varying estimates on the size of each reform issue. If the same amount of *silver* was circulating before and after the reform, the more adulterated pre-reform coinage would have supported a larger number of coins.

<sup>81</sup> Metcalf, "Monetary History," 156-57.



the reform does not mean that the reform *caused* the dominance of coins from other regions. Clearly, barriers to the use and circulation of coins that had existed before the reform were no longer present after it had been effected. It is not obvious, however, that the pre-reform variety of types between (and often within) regions was the sole cause of these barriers. The production of distinct, regional coinages would not automatically inhibit trade within the kingdom, any more than the adherence to a single type would necessarily promote it.

Finally, the similarities between coins recovered in Wessex and East Anglia should be noted. They might have been expected after the reform—a unified coinage may well have contributed to a reduction of regional difference. What is striking, however, is that the two monetary structures would be so similar prior to 973. This is not to say that the newly acquired East Anglia was as integrated into the nascent English state as was the Wessex heartland. Instead, it suggests that the challenges in unifying and homogenizing that state were similar for both regions, at least insofar as assuring the control and circulation of the currency was concerned.

### **Anglo-Saxon Legislation on Coinage**

If the evidence of the coins is inconclusive, perhaps the legislation can offer some insight into the purpose(s) of Edgar's reform. Law codes of kings from Æthelstan (924-39) to Cnut (1016-35) touch on various aspects of the coinage.<sup>82</sup> As will be seen, these

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<sup>82</sup> Ronald. S. Kinsey, "Anglo-Saxon Law and Practice Relating to Mints and Moneyers," *British Numismatic Journal* 29 (1958-59): 12-50; and Elina Screen, "Anglo-Saxon Law and Numismatics: A Reassessment in the Light of Patrick Wormald's *The Making of English Law*,"

codes are marked by a great deal of repetition—in fact their consistency over the course of a century is one of the key points this section is designed to emphasize. Therefore, rather than presenting each of these codes in chronological order, they are arranged thematically. Appendix D presents all the clauses discussed in this chapter, both in the original Old English or Latin and in translation, on a code-by-code basis.

### Forgery

Reference has already been made to the laws' abiding concern with fraudulent moneyers. The earliest surviving legislation that addresses coins and coinage speaks to this issue. The relevant statute is found in II Æthelstan, sometimes referred to as his "Grately" code.<sup>83</sup> This code has been dated to 928-30, but the provisions on coinage, which are contained in the fourteenth chapter, constitute part of a block (chapter 13:1 to chapter 18), the clauses of which have their own incongruous introduction, from

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*British Numismatic Journal* 77 (2007): 150-72, each discuss the laws on coinage, although neither attempts to reconcile them with Edgar's reform.

<sup>83</sup> The sobriquet comes from the epilogue to this code, which begins "All this was ordained at the great synod at Grately..." ("Ealle ðis wæs gesetted on ðam miclan synop æt Greateanleage...") Liebermann, 1:166, reprinted this epilogue from William Lambarde's *Archæologia* (London, 1568), the first edition of this text. Although it appears in the vernacular in no extant manuscript, Liebermann, 1:xxxiii-xxxiv, believed that Lambarde (Liebermann siglum "Ld") had taken it from one of a series of manuscripts to which he had had access to but had since been lost. Patrick Wormald, "The Lambarde Problem: Eighty Years On," in idem, *Legal Culture in the Early Medieval West* (London: Hambledon, 1999) 159, demonstrates that, in this instance, either Lambarde or his mentor in Old English, Laurence Nowell, supplied the epilogue by retranslating from the Latin translation found in the *Quadripartitus*, an early 12<sup>th</sup> century compilation of Anglo-Saxon laws (Lieberman siglum "Quadr"). Liebermann, 1:167, also prints the epilogue as it appears in *Quadripartitus*, "The whole of this was instituted and confirmed at the great synod at Grately..." ("Totum hoc institutum (et confirmatum) est in magna synodo apud Greateleyam..."). Liebermann follows Reinhold Schmid, ed., *Die Gesteze der Angelsachsen: In der Ursprache mit Übersetzung*, 2nd ed. (Leipzig, 1858) in indentifying this code as "II Æthelstan."

“secondly,” to “seventhly;” this section thus seems to represent an older code which has been preserved in Grately.<sup>84</sup> Clause 14.1 reads:

If a moneyer is found guilty, let the hand with which he performed the crime be struck off, and set up on the mint. If there is a charge and he wishes to clear himself, then he shall go to the hot iron and clear the hand with which he is accused of performing the evil. If he then is found guilty at that ordeal, do the same as is said here before.<sup>85</sup>

The same condign justice is found in IV Æthelred 5.3, conventionally dated to the early 990s:<sup>86</sup> “And they have ordained that moneyers shall lose a hand and that it shall be set up over that mint.”<sup>87</sup> It also appears, without the provision for the subsequent display of the hand, in II Cnut 8.1, issued at Christmas of either 1020 or in 1021:<sup>88</sup> “And he who

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<sup>84</sup> Wormald, *Making of English Law*, 294, 299, 439-40.

<sup>85</sup> Liebermann, 1:158: “[Gif se] mynetere ful wurðe, slea man ða hand of, ðe he þæt ful [mid wor]hte, 7 sette upp an þa mynetsmyðþan. Gif hit þonne [tyhtle] sie, 7 he hine ladian wille, þonne ga he to hatum isene 7 ladie [þa hand, m]id þe man tyhð, þæt þæt facen worhte. Gif he þonne on þam or[dale ful] wurþe, do man þæt ylce swa hit her beforan cweð.” This code survives in several versions. That quoted is from London, British Library, Cotton Otho B.xi (Liebermann siglum “Ot”), an early 11<sup>th</sup> century manuscript nearly destroyed in the 1731 Cottonian fire. (For details of the manuscript and its preservation of the laws, see Wormald, *Making of English Law*, 172-81.) The emendations enclosed in brackets are as in Lieberman, taken from his “So,” (Canterbury, Cathedral Library, MS Lit. B.2) a transcript of Otho B.xi made before the fire that he attributed to 17<sup>th</sup>-century antiquarian William Somner, but which has since been recognized as a product of Nowell’s. Liebermann, 1:xl; Wormald, *Making of English Law*, 162, n. 380.

<sup>86</sup> Wormald, *Making of English Law*, 443, but see below, pp. 124-26, for arguments supporting an earlier date.

<sup>87</sup> Lieberman, 1:234: “Et constituerunt, monetarii cur manum perdant, et ponatur super ipsius monete fabricam.”

<sup>88</sup> Wormald, *Making of English Law*, 345.

after this makes counterfeit, loses the hand with which he made the counterfeit, and he shall not buy it back with anything, not with gold nor with silver.”<sup>89</sup>

This decree highlights the combination of borrowing and originality present in much Anglo-Saxon legislation. The notion that a counterfeiter should pay with his hand appears to have been transmitted to the West from Byzantine law sometime in the 7<sup>th</sup> century.<sup>90</sup>

By 818-19, it had appeared in the *Capitula Legibus Addenda* of Louis the Pious:

“Concerning false money, we command: the hand of he who had allowed it to be struck shall be cut off.”<sup>91</sup> In the capitulary collection he assembled in 827, Abbot Ansegisus of St. Wandrille incorporated this language nearly verbatim, and in the Edict of Pîtres, Charles the Bald cites this capitulary by book and chapter when prescribing similar punishment for counterfeiters.<sup>92</sup> Ansegisus’s collection, at least, was known in Anglo-

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<sup>89</sup>Liebermann, 1:314: “7 se ðe ofer ðis fals wyrce, ðolie ðara handa, ðe he þæt fals mid worhte, 7 he hi mid nanum ðingum ne bycge, ne mid golde ne mid seolfre.” II Cnut is preserved in three vernacular versions, in addition to *Quardripartitus*. The quoted text is from Cambridge, Corpus Christi College, MS 383, (Liebermann siglum “B”), dated to the turn of the 12<sup>th</sup> century. Wormald, *Making of English Law*, 228-236, discusses the different law codes incorporated in this manuscript.

<sup>90</sup>R. S. Lopez, “Byzantine Law in the Seventh Century and its Reception by the Germans and the Arabs,” *Byzantion* 16 (1942-43): 450-51, notes the appearance of this provision in mid-7<sup>th</sup> century Visigothic and Lombard codes and attributes this to a lost code of Heraclius (610-41). Michael Hendy, *Studies in the Byzantine Monetary Economy c. 300-1450* (Cambridge: University Press, 1985), 328, accepts a Byzantine origin for these laws, but questions the need for an otherwise unrecorded code to serve as their source.

<sup>91</sup>*MGH Leges* Capit 1:285: “De falsa moneta iubemus: qui eam percussisse conprobatus fuerit, manus ei amputetur.” Jean Lafaurie, “The *novi denarii* and Forgery in the Ninth Century,” *Studies in Numismatic Method Presented to Philip Grierson*, ed. Philip Grierson, Christopher Brooke (Washington, D.C.: Catholic University of America Press, 1983), 137-46, surveys Carolingian measures against forgery, including legislation.

<sup>92</sup>*MGH Leges*, Capit. N.S. 1, 641, (Ansegisus); Capit 2:315 (Charles the Bald): “De falsa moneta iubemus, ut qui eam percussisse conprobatus fuerit, manus ei amputetur.” The edict’s citation is

Saxon England.<sup>93</sup> The ritual display of the mutilated body part is a uniquely Anglo-Saxon addition to these laws, however. Furthermore, while juridical mutilation was not uncommon in the tenth- and eleventh-century codes, these two clauses represent the only instances in the laws in which mutilation was accompanied by provisions for such display.<sup>94</sup>

The other element of II Æthelstan, trial by ordeal for the accused, was extended in IV Æthelred to several other parties. Clause 5-5.2 includes the moneyers who strike bad coins, those traders who circulate them and engravers who produce false dies:

And they have declared that nothing shall be seen to differ between counterfeiters and merchants who deliver good money to counterfeiters in order that they might make money that is impure and deficient in weight and acquire it from them to trade and buy, and even those who make dies in secret and sell them to counterfeiters for money, and engrave the name of another moneyer on them, and not that of the wicked one. Thus it is seen by all the wise that these three men be deserving of one punishment. And if anyone of them is accused, whether he be English or foreign, let him clear himself by full ordeal.<sup>95</sup>

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slightly off. The clause refers to Book IV, Chapter 31, but identifies it as IV:33. An earlier clause makes a similar mistake—IV:32 where IV:30 was intended.

<sup>93</sup> Helmut Gneuss, *Handlist of Anglo-Saxon Manuscripts: A list of Manuscripts and Fragments Written or Owned in England up to 1100* (Tempe: Arizona Center for Medieval and Renaissance Studies, 2001), 159, lists Oxford, Bodleian Library, Hatton 42, a mid-9<sup>th</sup> century compilation that includes Book I and elements of Book 2 of Ansegisus's capitularies and Cambridge, Corpus Christi College, 265, a Worcester book compiled in the mid-11<sup>th</sup> century that contains excerpts from these two books.

<sup>94</sup> Daniel O'Gorman, "Mutilation and Spectacle in Anglo-Saxon Legislation," in *Corporal and Capital Punishment in Anglo-Saxon England*, eds. Jay Paul Gates and Nicole Marafioti (Woodbridge, Suffolk: Boydell, 2014), 149-64, explores the potential implications of such display. Katherine O'Brien-O'Keefe, "Body and Law in Late Anglo-Saxon England," *Anglo-Saxon England* 27 (1998): 209-32, discusses the increase in mutilation in 10<sup>th</sup>-century law.

<sup>95</sup> Liebermann, 1:234: "Etiam dixerunt, quod nichil eis interesse uidebatur inter falsarios et mercatores qui bonam pecuniam portant ad falsarios et ab ipsis emunt, ut impurum et minus

In IV Æthelred 7-7.1, the same holds for traders who unknowingly pass false money and who are unable to get anyone to vouch for their bona fides:

And we have declared concerning merchants who bring false and light coin to town, that they shall find an advocate, if they can. If they cannot, the penalty shall be their weregeld or their life, as the king wishes, or they shall clear themselves in the way which we have decreed, that they recognized nothing impure in that money with which they carried out their business.<sup>96</sup>

In 7.3 of the same code, the potential culpability of officials is established. “And town-reeves who have consented to this deceit shall merit the same punishment as counterfeiters, unless the king shall pardon them, or if they are able to clear themselves by the same shared oath or by the aforementioned ordeal.”<sup>97</sup> Finally, 9.1 shares liability between moneyers and their employees: “And they shall have their employees in their

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appendens operentur, et inde mangonant et barganiant, et eos etiam qui conos faciunt in occultis et uendunt falsariis pro pecunia et incidunt alterius monetarii nomen in eo, et non ipsius immundi. Unde uisum est sapientibus omnibus, quod isti tres homines unius rectitudines essent digni. Et si aliquis eorum accusetur, sit Anglicus sit transmarinus, ladiet se pleno ordalio.” The “they” referred to in this text are unidentified. The five extant chapters of this code switch with no apparent justification between the first and third person and the singular and plural. “Ladiet,” from the Old English “ladian,” and “mangonant” from “mangian” are examples of the many loanwords found in this text.

<sup>96</sup> Ibid., 1:236: “Et diximus de mercatoribus, qui falsum et lacum afferunt ad portum, ut aduocent si possint. Si non possint, weræ suæ culpa sit uel uitæ suæ, sicut rex uolet, uel eadem lada se innoxient, quam prediximus, quod in ipsa pecunia nil inmundum sciebant, unde suam negotiationem exercuerunt.”

<sup>97</sup> Ibid.: “Et portireue qui falsi huius consentanei fuerint, eiusdem censure digni sint cum falsis monetariis, nisi rex indulgeat eis, uel se possint adlegiare eodem cyrað uel ordalio predicto.” “Edoem cyrað” is curious here, as there is no earlier mention of a cyrað—an oath sworn by the accused and a fixed number of compurgators—in this code.

crimes, so that they shall make pure [coin] and of the right weight, and be subject to the same punishment which we have mentioned before.”<sup>98</sup>

Ordeals are also prescribed in III Æthelred 8. The prologue of this code states it was created at Wantage, and it has been dated to 997, a few years after IV Æthelred.<sup>99</sup> “And every moneyer whom one accuses of striking false coins after it was forbidden shall go to the threefold ordeal, if he is guilty, he shall be slain.”<sup>100</sup> The severity of the law had increased markedly in the seventy years since Æthelstan’s Grately code. The ordeal was now a triple ordeal, and the cost of failure was not the loss of a hand, but death. The last such clause is II Cnut 8.2, which appears to draw on IV Æthelred 7.3.<sup>101</sup> “And if the reeve is accused, that the man wrought counterfeit by his permission, let him clear himself with the threefold exculpation; and if he then fails the excuplation, he shall have

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<sup>98</sup> Ibid.: “Et illi habeant suboperarios suos in suo crimine, quod purum faciant et recti ponderis, per eandem witam quam prediximus.”

<sup>99</sup> Ibid, 1:228: “These are the laws the King Æthelred and his witan have resolved at Wantage for improving the peace,” “Ðis syndon þa laga, þe Æðelred cyng 7 his witan gerædd habbað æt Wanetinge to friðes bote.” A similar prologue is found in the Latin translation in *Quadripartitus*. The only vernacular version of this text is in the Rochester manuscript *Textus Roffensis*, dated to 1123-24 and most famous as the only source for the earliest Anglo-Saxon laws, those of the kings of Kent (Liebermann siglum “H”). Wormald, *Making of English Law*, 244-52, discusses the compilation and history of this manuscript.

<sup>100</sup> Liebermann, 1:230: “And ælc mynetera þe man tihð þæt fals feoh sloge, syððan hit forboden wæs, gange to þrimfealdan ordale; gif he ful beo, slea hine man.”

<sup>101</sup> Wormald, *Making of English Law*, 356-60 charts and tabulates the various borrowings of I-II Cnut from earlier legislation. The impression of a highly derivative text is potentially misleading; subtle modifications are evident, especially when the borrowing is from codes such as Æthelred IV that predate the activity of Wulfstan, which was largely limited to the later codes of Æthelred, although, as has been noted, he made free in modifying some earlier ones.

the same sentence as he who wrought the counterfeit.”<sup>102</sup> The nature of this exculpation is unclear; it could be by ordeal or oath.<sup>103</sup> If ordeal was intended, then its threefold nature is similar to III Æthelred 8. “The same sentence,” however, presumably does not entail death, but the loss of the hand mandated in II Cnut 8.1.

The nearly identical clauses concerning the amputation of the counterfeiter’s hand come in three codes, II Æthelstan, IV Æthelred and II Cnut, that could hardly be more different from one another. The clause in II Æthelstan is immediately followed by a list of burhs and the number of moneyers to which each was entitled. This succeeding clause is quite unusual, and shall be examined further in this section alongside other clauses dealing with control of moneyers; for now, it suffices to point out that its appearance is not only more bureaucratic than that of other laws concerned with coinage, but indeed than that of any other Anglo-Saxon legislation.<sup>104</sup> The clause from IV Æthelred is part of a group of five complex chapters on weights and coinage that has been affixed to a series

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<sup>102</sup> Liebermann, 1:314: “7 gyf man ðone refan teo, þæt he be his hleafa þæt fals worhte, ladie hine mid ðryfealdre lade, 7 gyf seo lad ðonne byrste, habbe ðone ilcan dom ðe se ðe þæt fals worhte.”

<sup>103</sup> *An Anglo-Saxon dictionary: based on the manuscript collections of the late Joseph Bosworth / edited and enlarged by T. Northcote Toller*, 1898, s.v. “lād.” Lieberman, 3:203, recognizes this, but A. J. Robertson, *The Laws of the Kings of England from Edmund to Henry I* (Cambridge: University Press, 1925), 179, 353, supplies “oath,” contending that this clause is parallel to III Æthelred 13, which specifically calls for thrice twelve (i.e., thirty-six) compurgators. The *Instituta Cnuti*, a late 11<sup>th</sup>-century adaptation of Cnut’s laws, specifies the ordeal of red-hot iron, Liebermann, 1:315. Wormald, *Making of English Law*, 404-06, discusses the dating for the *Instituta Cnuti*.

<sup>104</sup> Mark Blackburn, “Mints, Burhs and the Grately Code, cap 14.2,” in *The Defense of Wessex: The Burghal Hidage and Anglo-Saxon Fortifications*, eds. David Hill and Alexander Rumble (Manchester: University Press, 1996), 172, hypothesizes this list “may have been intended not as a piece of legislation, but as an administrative document.”



of detailed regulations about trade in the port of London, and some more general comments on tolls.<sup>105</sup> Both clauses, then, are found in codes that are hybrids. If Cnut, on the other hand is a monolithic compilation that Wormald characterizes as “among the most sophisticated legislative statements of post-Roman Europe.”<sup>106</sup> Clearly, variety in form did not inhibit continuity in the content of the laws. This continuity should not be confused with stasis, however. These laws are not immobile: they continue to develop in their treatment of counterfeiters, encompassing their accessories and the officials who countenance them, experimenting with different means of establishing guilt and of punishment, and indicating that they should not be applied retroactively.

#### Control

In addition to counterfeiters, the law-codes also reveal a concern about the maintenance and administration of the currency. The most detailed example of this is in Æthelstan’s Grately code, clause 14.2. Lacking subject or verb, this list is nothing more than a string of prepositional phrases:

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<sup>105</sup> Henry G. Richardson and George O. Sayles, *Law and Legislation from Aethelberht to Magna Carta* (Edinburgh: University Press, 1966), describe this section of five chapters as the most sophisticated produced in England before the Conquest. Screen, 154, 164, fails to separate the coinage laws from the London regulations that precede them when she describes them as having a “local, London context,” and “intended for local officials...fragments of a more administrative legislative tradition.” Her appeal to Wormald is peculiar, given that in her citation of him—*Making of English Law*, 371—Wormald is explicitly referring only to IV Æthelred 1-4.2 (the regulations on London and tolls), and she overlooks his description of the coinage chapters as “...a detailed set of laws on coinage and weights, where first person pronouns designated king and/or council. These would have applied not only to London, but to any borough with a mint, the ‘Five Boroughs’ included.” Ibid., 322.

<sup>106</sup> Wormald, *Making of English Law*, 365.

In Canterbury seven moneyers: four of the king, two of the bishop and one of the abbott [of St. Augustine's, Canterbury]; to Rochester III, two of the king and one of the bishop; to London eight; to Winchester six; to Lewes two; to Hastings one; another to Chichester; to Southampton two; two to Wareham; two to Exeter; two to Shaftesbury; otherwise, to the other burhs, one.<sup>107</sup>

This list is puzzling in several respects. It seems to be organized geographically, but after beginning with the two main mints of Kent, it omits Dover and Lymne, both of which struck coins during Æthelstan's reign.<sup>108</sup> Instead, it includes the other two major population centers of southern England and then follows the southern coastline in a westerly direction. All the other remaining cities, with the exception of Shaftesbury (and Dorchester in *Quadripartitus*), are ports. The list also ends abruptly in Devon, and fails to even include the port of Bath, which had possessed an active mint since the reign of Æthelstan's father, Edward the Elder. It's thus a very partial list, leaving out large sections of the Wessex heartland while adding Mercian and Kentish centers. Some of the inclusions are also surprising. Hastings is not known to have even struck coins before the 980s.<sup>109</sup> Given the peculiarity of its wording and its eclectic selection of mints, Grately

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<sup>107</sup> Liebermann, 1:158: "On [Cant]warabyrg VII mynetras: IIII cinges, II bisceopes [7 I þæs] abbodes; to Rofeceastre III: twegen þæs cinges 7 [an þæs bi]scopes; to Lundenbyrg VIII; to Winteceastre VI; to [Læwe I]I; to Hæstingaceastre I; oþer to Cysseceastre; [to Ham]tune twegen; twegen to Werham; twegen to Æxeceastre; [twegen to Sce]aftesbyrg; elles to þam oðrum burgum an." *Quadripartitus* inverts the order of Exeter and Shaftesbury and inserts Dorchester (which was allotted one moneyer) between Warham and Shaftesbury.

<sup>108</sup> Blunt, Stewart and Lyon, 255-63, summarizes pre-reform minting activity by reign and moneyer.

<sup>109</sup> See Blackburn, "Mints, Burhs and the Grateley Code," 169-70, for the suggestion that the unusual wording connecting Hastings and Chichester in the code might indicate that the two shared moneyers, and perhaps Hastings's coins bore a Chichester mint stamp. It is of course possible that Hastings is a later addition to the list (as Dorchester seems to be), but even in the

14.2 does indeed look like an “administrative directive or memorandum” originally connected to the preceding clause as “a marginal addendum...which through later copying became incorporated into the body of the code.”<sup>110</sup> As such, it may have been composed many years after the clauses to which it became attached.

A somewhat more coherent, if less detailed, impression is made by IV Æthelred 9, which states “that moneyers shall be fewer than they have been in the past: in each great town three, and one moneyer shall be in each other town.”<sup>111</sup> As in Æthelstan’s code, there is a concern here to control the minting, and even reduce the number of minters. “Great towns” are not defined, but it seems highly unlikely that for London, at least, which by Æthelred’s time was striking a substantial portion of the king’s coinage, three moneyers would have sufficed. Although there is no evidence for it in the code, London, and perhaps some of the other large towns, may have been subject to a different limit, or exempted altogether.<sup>112</sup> The only other statement about control of mints and moneyers is found in III Æthelred 8.1, “and no man shall control a moneyer except the king.”<sup>113</sup> The

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post-reform period, Hastings is a minor mint, and Dorchester is smaller yet. The former is not represented in this chapter’s study of more than 2,300 coins, and the latter appears only once, on a mid-11<sup>th</sup> century coin of Edward the Confessor. (Petersson, “Coins and Weights,” 213-214, ranks Hastings 26<sup>th</sup> in his census. It is the highest ranked of Petersson’s mints not found in this database. Dorchester ranks 49<sup>th</sup>.)

<sup>110</sup> Blackburn, “Mints, Burhs and the Grateley Code,” 171-72.

<sup>111</sup> Liebermann, 1:236: “Et ut monetarii pauciores sint quam antea fuerint: in omni summo portu III, et in omni alio portu sit unus monetarius.”

<sup>112</sup> This is further evidence that the later, coinage provisions of IV Æthelred were not initially connected to chapters 1-4.2, much of which is relevant only to London.

<sup>113</sup> Liebermann, 1:230: “And nan mann ne age nænne mynetere buton cyng,”

limited exceptions in Æthelstan's earlier code, whereby churchmen could share some of the profits connected to minting, appear to no longer be in effect.

One clause in Æthelstan's Grately code has yet to be examined. Chapter 14 states: "Concerning moneyers. Thirdly: That there shall be one money over all the king's dominion, and no man shall mint except in a town."<sup>114</sup> The two points in this clause—that there shall be only one coinage, and that minting should only take place in towns, where, presumably, it could be monitored—were each emphasized in subsequent legislation. IV Æthelred 5, with its castigation of those who made dies in secret has already been mentioned. Clause 5.4 of that code focused on moneyers who did the same. "And for moneyers who operate in forests or work elsewhere in similar places, the penalties shall be their lives, unless the king wishes to pity them."<sup>115</sup> III Æthelred 16 is the vernacular equivalent: "And moneyers who work in a wood or elsewhere, that they shall be forfeit of their lives, unless the king will pardon them."<sup>116</sup>

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<sup>114</sup> Ibid., 1:158: "[Be myneterum.] Þridde: þæt an mynet sie ofer [ealle] þæs cinges anweald: 7 nan man ne mynetige butan port."

<sup>115</sup> Ibid., 1:234: "Et monetarii, qui in nemoribus operantur uel alicubi similibus fabricant, uitae suae culpabiles sint, nisi rex uelit eorum misereri." This penalty is greater than that prescribed for moneyers who strike counterfeits and their accessories, laid out in 5-5.3 of this code.

<sup>116</sup> Ibid., 1:232: "7 þa myneteras þe inne wuda wyrceð oððe elles hwær, þæt þa bion heora feores scyldig, buton se cyning heom arian wille." This chapter is not present in the *Quadripartitus* transmission of III Æthelred. In *Textus Roffensis*, it seems out of place, stuck onto the end of the code, and separated from the other coinage legislation in chapter 8. It may not have originally been a part of III Æthelred, and been appended only when *Textus* was compiled in the early 12<sup>th</sup> century. The composer of *Quadripartitus*, already in possession of IV Æthelred 5.4, would have had no need to supply a duplicate.

The other element of Grately 14, that there shall be only one coinage throughout the land, is found in five different codes. No other monetary principle is reflected so often in the legislation. It first reappears in III Edgar, which probably pre-dates Edgar's monetary reform, possibly by several years. III Edgar 8, the only clause treating coinage, reads "and one money shall go over all the king's dominion and no man shall refuse it."<sup>117</sup>

Anxiety about those who refused the king's coin is evident in Carolingian legislation.<sup>118</sup> Chapter 5 of the 794 Synod of Frankfurt lays out different penalties for different classes of those who violate the mandate that: "And concerning denarii, you shall truly know our edict, that in all places, in all cities and similarly in all markets those new denarii shall go and be accepted by all. And if they have coin of our name and they are of pure silver and full weight, if anyone refuses them in any place in any business of buying or selling."<sup>119</sup> Louis the Pious returns to this issue, and Ansegisus incorporates Louis's edict into his collection: "Concerning these who do not wish to accept good

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<sup>117</sup> Ibid., 1:204: "7 ga an mynet ofer ealne þæs cynges anweald, 7 þane nan man ne forsace."

<sup>118</sup> Stanislaw Sucholdolski, "On the Rejection of Good Coin in Carolingian Europe," in Grierson and Brooke, *Studies in Numismatic Method*, 150-51, contends that such refusal would be provoked by a *renovatio*, when minting charges would cause people to lose money when exchanging their older coins for new ones.

<sup>119</sup> *MGH Leges*, Capit 1:74: "De denariis autem certissime sciatis nostrum edictum, quod in omni loco, in omni civitate et in omni empturio similiter vadant isti novi denarii et accipiantur ab omnibus. Si autem nominis nostri nomisma habent et mero sunt argento, pleniter pensantes, si quis contradicit eos in ullo loco in aliquo negotio emptionis vel venditionis."

money: whichever freeman refuses to receive pure and fully weighed coin shall pay our penalty, that is, 60 shillings.”<sup>120</sup>

IV Æthelred 6 is remarkably similar. “And we command that no one shall refuse pure money of good weight, in whatever city it has been struck in my kingdom, under the penalty of noncompliance with me.”<sup>121</sup> This chapter, and the one preceding it prescribing the loss of a hand to counterfeiters, are the closest parallels in the coinage laws to Carolingian precedent, and to Ansegisus in particular. That Ansegisus also arranges his precept on counterfeiting next to that on refusing to accept good coin—IV.30-31—makes the parallel all the stronger. Jean Lafaurie points out that Carolingian legislation on forgery and accepting good coin is often accompanied by measures to control the number of mints and issued during a time of a *renovatio*.<sup>122</sup> IV Æthelred 9 and its restriction on the number of moneyers per town has already been discussed. Could IV Æthelred (or at least chapters 5-9, the coherent block of monetary laws) have been issued during one of the periodic *renovatio* of the reform coinage?<sup>123</sup> Wormald’s date of the early 990s for

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<sup>120</sup> *MGH Leges*, Capit. N.S. 1, 640: “De his, qui bonos denarios accipere nolunt: Quicumque liber homo denarium merum et bene pensantem recipere noluerit, bannum nostrum, id est LX solidos, conponat.”

<sup>121</sup> Liebermann, 1:234: “Et precipimus, ne quis pecuniam puram et recte appendentem sonet, monetetur in quocumque portu monetetur in regno meo, super ouerhirnessam meam.” Ibid., 2:199 for “sonet” as “refuse.” Noncompliance, or “oferhiernes” appears in many 10<sup>th</sup>-century codes. When the fine is specified, it is always 120 shillings. (E.g., Liebermann, 1:140: I Edward 2.1.)

<sup>122</sup> Lafaurie, 142-44.

<sup>123</sup> Wormald, “Æthelred the Lawmaker,” 62-63, once entertained this notion, suggesting the code was produced in conjunction with the introduction of the “Second Hand” issue, c. 985. A growing consensus that Second Hand was not an independent type, but a later variety of the “First Hand”

these laws accords with the introduction of the “CRUX” variety. CRUX, however, was produced in larger numbers than any previous Anglo-Saxon type, with an estimated 40-133 million coins struck over approximately six years.<sup>124</sup> IV Æthelred’s strict limitations on the number of moneyers per town would not seem to pertain to this context. A more daring suggestion is that this code has nothing to do with Æthelred at all.<sup>125</sup> The twelfth-century compiler of *Quadripartitus* inserted it with some miscellaneous ordinances, along with the tolls and customs provisions that now make up IV Æthelred 1-4.2, after the code we know as III Æthelred, and its current title, provided by Benjamin Thorpe in 1840, is a product of this arrangement.<sup>126</sup>

If detached from Æthelred, Edgar and the c.973 reform would be a plausible point to relocate this code. It is hard to imagine that the most substantial coinage reform undertaken in Anglo-Saxon England was carried out without any written instructions, and “IV Æthelred” is precisely the kind of document that Lafaurie claims was produced for Carolingian reforms. Two other, more specific points relating to chapter 9 of the code

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(Brand, 18-25; Stewart, “Coinage and Recoinage,” 471-74) caused him to reconsider, Wormald, *Making of English Law*, 443, n.98.

<sup>124</sup> Allen, 492-93. This volume has traditionally been associated with the resumption of Scandinavian raids and the payment of tribute in 991. It is possible that the production of CRUX (and any laws relating to it) was initiated before the onset of this activity, in which case the need for a greater number of coins may not have been foreseen.

<sup>125</sup> Kinsey, 21-22 attributes it to the later reign of Cnut, but in doing so fails to account for III Æthelred 8, part of a genuine code of Æthelred, and its apparent reference to IV Æthelred. Wormald, “Æthelred the Lawmaker,” 62.

<sup>126</sup> Benjamin Thorpe, *Ancient Laws and Institutes of England* (London, 1840), 127-29. Thorpe numbers this as code IV and additionally styles it “De Institutis Lundonie.” Wormald, *Making of English Law*, 22; 290, n. 129; 320, n. 262, discusses Thorpe and his influence on modern editors.

may be adduced. It has been suggested that the increase in purity of the new coins' alloy would decrease the number of coins circulating; if this transpired, the chapter's call for a reduction in moneyers makes sense. Additionally, the major problem with accepting chapter 9 at face value is that it limits London to three moneyers, a difficult proposition to accept, given that it accounts for such a large proportion of the kingdom's post-reform coinage. The one period when this did not hold true, however is during the first reform issue. Petersson's census shows that London only accounts for 5.7% of the coins of this type.<sup>127</sup> In two separate studies, Kenneth Jonsson produces similar results—whether measured by coins, dies or moneyers, London was quiescent in comparison to its later production.<sup>128</sup> Finally, there is the evidence of the survey in this chapter, which strongly suggests that coins in the post-reform period circulated between regions much more freely than they did in the pre-reform era. "IV Æthelred" 6 is the only Anglo-Saxon law suggesting that this was a desideratum, and it *may* have been one of Edgar's motivations

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<sup>127</sup> Petersson, "Coins and Weights, 351-54. I have combined the figures for the Edgar, Edward Martyr and Æthelred varieties because the sample sizes are somewhat small. By reign, London accounts for 5.9%, 6.7% and 2.5%, respectively. Petersson has a total of 508 first reform pennies.

<sup>128</sup> Jonsson, *The New Era*, 115-18, surveys 788 First Small Cross coins by mint, of which London accounts for 4.3%. Based on the number of dies he estimates London would have produced 7.3% of the coinage in this issue. He does, however, consider southern regions underrepresented in his sample. Correcting for this increases London's proportion to 10.7% - still less than his estimates for York and Winchester. Idem., *Viking Age Hoards and Late Anglo-Saxon Coins: A study in Honour of Bror Emil Hildebrand's Anglosachsiska Mynt* (Stockholm: GOTAB, 1987), 37-42, tabulates a survey of some 7,000 coins of the First Small Cross and Hand types. Jonsson finds only 9 London First Small Cross moneyers with 38 coins between them. In comparison, there were 10 Lincoln moneyers, 12 from Winchester, 15 from Stamford and 32 from York.



in introducing the reform. The case for Edgar's authorship of "IV Æthelred" is circumstantial and unproven—and likely unverifiable—but it should be considered.<sup>129</sup>

Two remaining codes concern themselves with the notion of a single coinage. Clause 32.1 of VI Æthelred reads "and in regard to the currency, it shall be improved so that one money goes over all the nation without any counterfeit."<sup>130</sup> The latter part of II Cnut 8 includes a sentiment that is nearly identical: "...and in regard to the currency, it shall be improved so that one money goes over all the country without any counterfeit, and that no man shall refuse it."<sup>131</sup> The Cnut clause thus represents a combination of VI Æthelred 32.1 and III Edgar, 8. This is not surprising, given that Wulfstan, its author, wrote the former and annotated copies of the latter.

#### Responsibility.

The language promoting one currency for all of England was modified when it was adapted for VI Æthelred and II Cnut. Instead of going over the "king's dominion," money travels over the "country." This shift can be connected to a tendency in the later laws to emphasize the responsibility of everyone—not simply the king—to maintain the coinage. In IV Æthelred, that shared responsibility has been delegated by the king, albeit with the consent of the ruled. Clause 8 reads, "And the king advises and commands his bishops

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<sup>129</sup> I am unaware of any other argument in either the numismatic or historical literature along these lines.

<sup>130</sup> Liebermann: 1:254: "7 swa ymbe feos bote þæt an mynet gange ofer ealle þas þeode butan ælcon false." The text is from the vernacular version of "K."

<sup>131</sup> Ibid., 1:314: "...7 swa ymbe feos bote, þæt an mynet gange ofer ealle ðas ðeode butan ælcon false 7 þæt nan man ne forsace."

and counts and ealdormen and all overseers that, both among the Danes and the English, they take care concerning those who produce such false coin and carry it through the country, as has been set forth.”<sup>132</sup> The code concludes with clause 9.3: “And all shall preserve the coinage, in the way I command and all of us agreed to instruct you.”<sup>133</sup>

In VI Æthelred, as well as Cnut’s 1018 code, which nearly reproduces the language of its predecessor at this juncture, references to the king’s role in this preservation have disappeared, and a more hortatory style is evident. Clause 31 instructs “moreover, let us all deliberate very earnestly on improving the peace and on improving the currency.”<sup>134</sup> The opening of II Cnut 8 is identical to the readings found in VI Æthelred and Cnut 1018.<sup>135</sup> In each code, the land’s coinage is presented as integral to the public peace.

One might be inclined to dismiss this as simply a manifestation of the homiletic impulse that becomes increasingly evident in Wulfstan’s legislative stylings, but for another development.<sup>136</sup> As has been mentioned, the modern division of clauses and chapters is based on Liebermann’s edition. For VI Æthelred, however, there is evidence

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<sup>132</sup> Ibid., I :236: “Et rex suadet mandat episcopis suis et comitibus et aldremannis et prepositis omnibus, ut curam adhibeant de illis qui tale falsum operantur et portant per patriam, sicut premissum est, utrobique cum Danis et Anglis.”

<sup>133</sup> Ibid.: “Et custodiant omnes monetam, sicut uos docere precipio et omnes elegimus.”

<sup>134</sup> Ibid., I :254 : “Wutan eac ealle ymbe friþes bote 7 ymbe feos bote smeagean swyðe georne.” The text, manuscript and attribution of 1018 Cnut are discussed in Chapter Two, pp. 173-74.

<sup>135</sup> Ibid., I :314: “Uton eac ealle ymbe friðes bote 7 ymbe feos bote smeagian swiðe georne...” In “B,” the outer margin has the rubricated heading “improving the coinage,” (“feos bote,”) on the line at which this clause begins.

<sup>136</sup> Wormald, *Making of English Law*, 339-45, discusses the convergence of these two genres in Wulfstan’s later writing.

of the author's original structure. In Cotton Claudius A.iii, a manuscript in which a hand that has been identified as Wulfstan's is very active, both the vernacular and the Latin versions of are broken into paragraphs, and individual clauses are marked by an introductory "K."<sup>137</sup> VI Æthelred 31 begins with just such a "K" and incorporates the following four of Liebermann's clauses—32 and its three subordinate clauses. The theme of 31, public peace and the coinage, can thus be seen to encompass these four clauses as well. 32 deals with the public peace in greater detail, urging that "and in regard to the peace, it shall be improved as is best for the householder and is worst for the thief."<sup>138</sup> 32.1, on improving the coinage has already been cited, and 32.2, on correcting weights and measures, was examined earlier in this chapter. The final clause, 32.3, seems out of place: "and fortification building and bridge building shall be earnestly attended to in every region and moreover military service and naval service as well, at any time it is required just as is decreed for the general need."<sup>139</sup> These requirements are not simply

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<sup>137</sup> Ibid., 341. For Wulfstan's autograph, see *ibid.*, 188. The Latin paraphrase is substantially different at this point. The initial clause only treats coinage, incorporating 32.1. The next clause offers a more general statement on crime, and 32.2 is omitted. Each of the three clauses is marked by a "K."

<sup>138</sup> Liebermann, 1:254: "Swa ymbe friþes bote, swa þam bondan sy selost 7 þam þeofan sy lapost."

<sup>139</sup> Ibid.: "7 burhbota 7 bricbota aginne man georne on æghwilcon ende, 7 fyrdunga eac 7 scipfyrdunga ealswa, a þonne neod sy, swa swa man geræde for gemænelicre neode." Kennedy, 78-79, prints the equivalent elements of Cnut's 1018 code, clauses 20-23. The only significant differences are that this code does not mention ship-service, and military service is as needed. Unlike Cotton Claudius A.iii, the sole manuscript containing this code, Cambridge, Corpus Christi College 201, does not offer clear clausal divisions. Nonetheless, its layout is suggestive. The only outsized capital found in the entire code is the *wyn* introducing Kennedy's chapter 20. A stippled capital is found at 20.1, 20.2 and 23, but not at 21 or 22. Again, the effect is to closely

other examples of public responsibilities. They comprise the *trinoda necessitas*, the “common burdens” first laid out in Mercian charters of the eighth century to which holders of bookland were subject and from which even church lands were rarely exempt.<sup>140</sup> In associating the maintenance of the coinage with these fundamental obligations, Wulfstan was making a claim both about the former’s importance and the universality of the duty to support it.

The “common burdens” only appear five times in Anglo-Saxon law.<sup>141</sup> In addition to VI Æthelred and Cnut’s 1018 code, they are found in II Cnut 10. The arrangement of II Cnut 8-10 is very similar to that of VI Æthelred 31-32, although it inserts two more clauses on coinage.<sup>142</sup> II Cnut 8 combines VI Æthelred 31 and 32, appending III Edgar 8’s warning that none shall refuse the coinage. II Cnut 8.1, with its decree that false moneyers shall lose their hands, has already been discussed, as has 8.2, on reeves who abet counterfeiters. II Cnut 9 closely follows its predecessor’s language on weights and

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associate coinage, weights and measures, and fortification and bridge building, although not, in this instance, military service.

<sup>140</sup> Michael Lapidge, *The Blackwell Encyclopaedia of Anglo-Saxon England* (Blackwell: Oxford, 2001), 456-57 for a general discussion with bibliography.

<sup>141</sup> Liebermann, 1:352: II Cnut 65 is the one instance in which coinage legislation is not found in proximity to the “common burdens.” This chapter deals with punishments due to those who neglect them.

<sup>142</sup> None of the three mss. containing vernacular versions of II Cnut are contemporary with Wulfstan, and editorial conventions of later scribes must be suspect. It is thus impossible to know whether II Cnut was originally divided up in the same manner as VI Æthelred. Examination of digital images of “B” reveals that, in addition to its marginal heading, II Cnut 8 is introduced by a rubricated capital “U.” A *punctus* separates 8 from 8.1, and 8.1 and 8.2, but this mark is also employed liberally within clauses as well. A rubricated capital “G” marks the introduction of 9, but there is nothing similar at the beginning of 10. The next substantial transition in the text is the larger, 2-line capital “Ð” introducing chapter 12.

measures. II Cnut 10 is very similar to VI Æthelred 32.3: “and fortification building and bridge building (henceforth) and naval service shall be earnestly attended to and military service also, at any time it is necessary for the general need.”<sup>143</sup>

The juxtaposition of coinage and the “common burdens” is even more evident in V Æthelred. Liebermann allocates both to 26.1, which in turn appears to be part of a unit consisting of 26, 26.1 and 27.<sup>144</sup> Weights and measures are omitted from this code, and the remaining elements are introduced by an exhortation to follow God’s precepts:

[26] But man shall henceforth earnestly love God’s law in word and in deed; then God will immediately become merciful to this nation. [26.1] And one shall be eager for the improvement of the peace and for the improvement of the currency everywhere in the country, and for fortification building and bridge building everywhere in the country in every region and for military service, at any time there is need, in accord with the manner decreed. [27] And for the naval service as earnestly as one is able, so that every one is equipped immediately after Easter every year.”<sup>145</sup>

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<sup>143</sup> Liebermann, 1:314: “7 burhbota 7 byrcgbota (heonan forð) 7 scipforðunga aginne man georne, 7 fyrdunga eac swa, a ðonne ðearf sy for mænelicre neode.” Omitted from the previous line, “heonan forð” is included here.

<sup>144</sup> There are three vernacular copies of V Æthelred; this text comes from Cambridge, Corpus Christi College, 201, the most fulsome of the three. Digital reproductions indicate that the opening “A” of 26 is a slightly enlarged capital, stippled in red ink. The next letter so treated is at the beginning of 28. As is the case with “B,” a *punctus* subdivides the text, although its use is extensive, and cannot have been the sole basis for Liebermann’s organization. This ms. is treated extensively in Chapter Two. See also Wormald, *Making of English Law*, 206-10, for further discussion.

<sup>145</sup> Liebermann, 1:243: “[26] Ac lufige man Godes riht heonan forð georne wordes 7 dæda; þonne wurð þisse þeode sona God milde. [26.1] beo man georne ymban friðes bote 7 ymbe feos bote æghwar on earde, 7 ymbe burhbote 7 ymbe bricbote æghwar on earde on æghwilecume ende, 7 ymbe firdunga, aa þonne neod sy, be þam þe man geræde. [27] 7 ymbe scipfirðunga, swa man geornost mæge, þæt æghwilec geset sy sona ofer easton æghwilece geara.”

The increasingly pastoral nature of this code is particularly evident in Cambridge, Corpus Christi College, 201, from which this text was excerpted. Later sections incorporate elements of Wulfstan's *Institutes of Polity*.<sup>146</sup> The treatment of the coinage, with fewer specifics and greater emphasis on exhortation than on secular punishment for malefactors, is typical of this language.

### Summary

This review has identified a few themes that recur in the law-codes. Controlling the production of coins, guaranteeing their quality and ensuring their acceptance seem to be the major preoccupations of the codes' authors. This is not to say the tone of legislation on coinage was invariant. The detailed provisions laid down in IV Æthelred stand in marked contrast to the generalizations of V Æthelred. Similarly, the commanding tenor of Æthelstan's Grately code differs substantially from the later laws of Æthelred and those of Cnut. Wulfstan mentions neither the king nor his domain when discussing the coinage. The universal responsibility for the coinage urged in these post-reform clauses should give pause to those who assume that the main purpose of monetary reform was to demonstrate the king's control. Even the more imperious IV Æthelred stipulates that measures regarding the coinage were agreed upon by all.

The most consistent statement about the coinage, one which is repeated by Æthelstan, Edgar, Æthelred and Cnut is that one coinage, a good coinage, shall serve the whole kingdom. The notion is presented a bit more emphatically in another section of IV

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<sup>146</sup> Wormald, *Making of English Law*, 332-33. "There could be no clearer revelation of reluctance—or inability—to distinguish the status of law-code and homily."

Æthelred, where it is made clear that the coin of the realm is to be accepted regardless of where it was minted. Here, finally, we see accord in the language of the laws and the product of reform.

### Conclusions

If we accept the conventional dating, IV Æthelred was written roughly 20 years after the reform. If this is indeed true, it would seem to suggest either that despite the evidence of the coins, there was some resistance to accepting money from other regions, at least in the first decades after 973, or that this clause of the code was not included in response to a contemporary concern. The case for the latter option is strengthened by the numerous prohibitions on forgery and foreign coin inserted in many codes, other matters that appear not to have been of pressing concern at the time in which they were the subject of legislation.<sup>147</sup> Even if, as has been suggested in this chapter, IV Æthelred is contemporary with Edgar's reform, Æthelstan's emphasis on the need for one coinage fifty years prior to Edgar is quite similar to Cnut's fifty years later. Such continuity might seem to indicate that insofar as standardization was concerned, monetary reform and legislation operated in isolation from one another, even that monetary reform was irrelevant to legislators. This would be an erroneous conclusion, however, the product of placing more weight on Edgar's reform than it can bear.

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<sup>147</sup> Screen, 161-62, argues that "Byzantine and Continental legislation on forgeries suggests that the [Anglo-Saxon] legislation might have also been driven by ideological concerns, and the desire to be seen to legislate in an area with imperial precedent...laws on forgeries may perhaps reflect a repetition of earlier legislation on the matter on the Continent and by Æthelstan, forming therefore an expression of ideology (kings should be seen to legislate on forgeries)..."

The desire to so privilege Edgar's reform stems from a numismatic tradition arguing that 973 changed everything. Michael Dolley, who contributed more to our understanding of Anglo-Saxon coinage than anyone in the last century, and whose influence and opinions had a corresponding influence on the field, contended that in one fell swoop Edgar's reform set the Crown's monetary policies and practices into the 12<sup>th</sup> century.<sup>148</sup> Such a view, unlikely on its face, goes against the nature of standardization as it was delineated in the introduction, particularly the need for standards to constantly evolve in response to change.<sup>149</sup> The standardization of the kingdom's coinage took time. Edgar's reform was just one step—granted, a very notable one—along the way. It would be astonishing if the coinage didn't continue to develop, and indeed it did. Over the next century die production oscillated between one central site and several regional ones. Some issues were struck for six years whereas others were in circulation for a considerably shorter period of time. Some, such as the *Angus Dei*, were abortive. Reform, *pace* Dolley was an ongoing, organic process, subject to continued modification.

After Dolley's death in 1983, some of his most expansive views about reform lost favor, and were replaced by the recognition that Edgar's reform did not set the invariant

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<sup>148</sup> Dolly, "Coinage of Æthelraed II," 129-30, argues that departures from the norms that Edgar set down are temporary adaptations to periods of crisis, to be dismantled as soon as the circumstances warrant and that Edgar's successors insured "the restoration of absolute uniformity," and transmitted "an intact, sophisticated and highly efficient machinery of coin-production."

<sup>149</sup> Sanders, *Aims and Principles*, 7: "[Principle #5] Standards should be reviewed at regular intervals and revised as necessary;" Verman, 38: "A standard is a live organism and, in common with other forms of life, it is subject to continual change and adaptation so as to remain in harmony with its environment and maintain its utility to the community it serves."



fashion for all subsequent monetary developments in the kingdom.<sup>150</sup> Nonetheless, the underlying notion that 973 marked a significant turning point for the kingdom's coinage has endured. The title of Kenneth Jonsson's 1987 monograph on the reformation—*The New Era*—nicely conveys this view. Jonsson's treatment is admirable in its attempt, rare among numismatic work on the topic, to put the reform in a wider political and social sense:

If the monetary reform of c. 973 is to be seen in its proper context, it must be related to the political situation of the time, where it is likely to have been part of a royal policy to increase royal control and centralize the administration. A number of events towards the end of Edgar's reign point in this direction.<sup>151</sup>

This is certainly a defensible claim, and some of these other events are discussed in subsequent chapters of this dissertation.

Jonsson's notion, however, that Edgar's shift marked his embarking on a "New Era" is problematic in two respects. First, it ignores the coherence in legal policy. If it is conceded that concern for increased royal control is evident in the earlier code of Æthelstan, and centralization in the later code of Cnut, it becomes apparent that the reform is not a turning point, but a new means to the same end. Further, Jonsson sees Edgar's death in 975, and the reversion to regional die production, as evidence of the

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<sup>150</sup> Ian Stewart, "Coinage and Recoinage," discusses Dolley's influence and the retrenchment subsequent to his death.

<sup>151</sup> Jonsson, *The New Era*, 190. Jonsson, "The Pre-Reform Coinage of Edgar," 330, written nearly twenty years later, assumes a similar tone: "the monetary reform was not an isolated event, but a part of a series of actions taken to centralize the government of England, i.e., increasing central (royal) control at the expense of regional (ealdromen etc.) control."

failure of Edgar's purpose.<sup>152</sup> In his view, Edgar's policy succeeds during those times at which Æthelred and Cnut are able to keep firmer control over the dies.<sup>153</sup> This perspective betrays a hierarchic understanding of standardization on Jonsson's part, one that considers control to be the logical goal of standardization. It fails to explain how other elements of Edgar's program remain intact at times when die production is regionalized. It also fails to account for the emphasis on consensus and communal responsibility for the coinage evident in the later law codes.<sup>154</sup> Standardization, as embodied in the principle of one money over the kingdom doesn't have to imply control; it need mean no more than what it states.

Additionally, Jonsson's connection between standardization and control is not self-evident. The proximate goal of monetary reform and legislation may well have been to create a standard coinage, accepted everywhere. It is not at all clear, however, in what way Edgar's position would have been made more secure simply because a coin minted in, say, Norwich could more easily travel to Exeter after his reform.

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<sup>152</sup> Ibid., *The New Era*, 190-92. Stafford, "Historical Implications," traces the moves towards and away from centralized production dies in the forty years of Edgar's death.

<sup>153</sup> Jonsson, "The Pre-Reform Coinage of Edgar," 340-41. Idem, "The Coinage of Cnut," *The Reign of Cnut: King of England, Denmark and Norway*, ed. A. Rumble (London: Leicester University Press, 1994), 228-30, summarizes Cnut's gradual centralization of die production.

<sup>154</sup> Sanders, *Aims and Principles*, 6: "[Principle #2] Standardization is a social as well as an economic activity and should be promoted by the mutual cooperation of all concerned. The establishment of a standard should be based on a general consensus." The emphasis on consensus in these laws cannot be dismissed as merely a trope. Reynolds, *Kingdoms and Communities*, 38, "the concern for justice—as then perceived—and consensus—however forced or intolerant—cannot have been entirely theoretical."

What then, would be the ultimate purpose of monetary standardization? The repeated rhetoric of one coin for one land points to a different goal—that of tying the kingdom together. Given that the dynasty of Wessex had only achieved final control over the north in the 950s, such a priority makes sense. Across the Channel, fractious regionalism was consuming the Carolingian Empire, and historians can easily overlook similar stresses evident in England. On three occasions in the tenth and eleventh centuries, the kingdom was divided in two. The potential for revolt in the North was so great that many Archbishops of York were given a second see in the south to keep them closer to the crown. Edgar's reform of the coinage was but one means to a far more ambitious purpose, one shared by Edward the Elder and Æthelstan before him as well as his ill-starred son Æthelred and the new conqueror Cnut after him: to more firmly tie together the different strands that constituted the Anglo-Saxon state.

## CHAPTER TWO

### MANUSCRIPTS OF LEGISLATION

This chapter explores the standardization of the legal texts of later Anglo-Saxon England. Each of the codes of this period is, of course, a discrete entity, produced within its own context, and while later codes certainly drew inspiration from former ones, they also contained a great many innovations, both in form and substance. Legal historians have focused either on individual codes or on changes from one code to the next, seeing each code as a replacement for its predecessor(s) and in this process of replacement, the evolution of Anglo-Saxon legislation, legal thinking and practice. This sequential conception of the various law codes has, however, tended to preclude any exploration of standardization, in which codes were made to conform to one another. This chapter represents an attempt to examine the ways in which an older code was updated and brought into compliance with more recent norms of legislation. It begins with a brief survey touching on the creation and dissemination of legislation in the kingdom, as well as the formidable tradition of scholarship this legislation has attracted. It then goes on to investigate the development of one text in particular, examining its place in each of the manuscripts in which it is contained and presenting a detailed exploration of the differences between them for the purpose of determining which aspects of the code were most susceptible to change and in what ways. Finally, it concludes by positing some of

the motivations later editors and scribes had in imposing these changes, contending that the insights gleaned thereby are relevant not only for understanding the ongoing evolution of Anglo-Saxon legal writing, but indeed their sense of the function of law itself.

### **Early English Law and its Reputation**

In the early eighth century, Bede famously noted that the tradition of legal writing in England was coterminous with the introduction of Christianity—and literacy—by Augustine’s mission over one hundred years earlier.<sup>1</sup> Æthelberht’s code, however, as well as two others promulgated by his seventh-century Kentish successors, is found in but a single manuscript, and that was compiled after the Conquest. The code of Ine of Wessex (688-726) survives only because it was appended to that of Alfred, his successor, some two centuries later; in like manner, the existence of a code drafted by the late eighth-century Offa of Mercia is known solely because Alfred mentions it in the prologue to his laws.<sup>2</sup> Indeed, the oldest manuscript containing Anglo-Saxon laws dates to the mid-tenth century, and it is not until the early eleventh that we come across any that are contemporary in composition with the law codes they contain.<sup>3</sup>

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<sup>1</sup> Bede, *Ecclesiastical History of the English People* eds. Bertram Colgrave and R.A.B. Mynors (Oxford: Clarendon, 1969), 150-51.

<sup>2</sup> Wormald, “In Search of King Offa’s ‘Law Code,’” 25-45, contends that this code is the capitulary found in the legatine report of George of Ostia and Theophylact of Todi, written in 786, and discussed above, pp. 71-72. There are several difficulties with Wormald’s argument, but, even if it were accepted, this letter is not in any extant English manuscript, and there is no indication that those who wrote the laws of later Anglo-Saxon England drew upon it.

<sup>3</sup> Wormald, *Making of English Law*, 162-263 catalogues and describes twenty “Manuscripts of Legislation” from the 10-12<sup>th</sup> centuries that contain (or contained) Anglo-Saxon legislation. This figure includes Latin translations, separate booklets that were ultimately united as composites,

The incidence of such books in the tenth and eleventh centuries corresponds to an increase in the number of edicts. The issue of Alfred's *Domboc* in the last decade of the ninth century and the production of Cnut's comprehensive code in the early 1020s serve as bookends, marking the heyday of the production of Anglo-Saxon law. (Not coincidentally, these two points have also come to serve as the most recognizable of the discrete moments of Anglo-Saxon legislating.) Although the intervening period appears to have seen nothing as extensive as either of these codes, up to a score of briefer ordinances survive, in addition to several isolated laws, few of which can be securely attributed to a particular ruler.<sup>4</sup> While all evidence suggests that these laws were originally promulgated in the vernacular, some exist only in Latin translation from the early twelfth century.

This relatively small body of material has been the focus of a vast amount of scholarly inquiry going back hundreds of years.<sup>5</sup> Anglo-Saxon law, as the perceived forerunner to English common law, was ineluctably drawn into the political debates surrounding the Reformation in the sixteenth century, for which it served as a hallmark of incipient nationalism. Similarly, in the context of the Civil War and the Glorious Revolution of the seventeenth century, it was seen as a wellspring of ancient liberties.

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loose leaves, and manuscripts and fragments that have been lost or destroyed but can be ascertained to have included legal texts in their contents.

<sup>4</sup> At over 8,000 words, the combined code of Alfred and Ine is substantially the longest Anglo-Saxon legal work. Most texts are significantly shorter. In one ms., a scribe is able to copy all but one line of Edgar's complete Andover code (the primary focus of this chapter) onto both sides of a single (albeit large) half-sheet. Many other codes, and almost all of the isolated, anonymous laws, are shorter still.

<sup>5</sup> Wormald, *Making of English Law*, 3-28 ably reviews the historiography, particularly through Liebermann, and is the source for most of what follows.

William Lambarde, whose *Archaionomia* (1568) was the first edition of Anglo-Saxon law, was of the circle of Archbishop Matthew Parker, who saw Anglo-Saxon studies as a means of stressing the traditional independence of the Church of England from Rome. Henry Spelman, the first to publish extracts of the early Kentish laws in 1639, endorsed the idea that trial by jury originated with Alfred, a claim echoed by his royalist son John in his biography of that king. Although much of the political fervor that had infused Anglo-Saxonism dissipated in the following centuries, the idea that the ancient laws were key landmarks in the nation's constitutional history endured. That the traditions they fostered might have been temporarily eclipsed in the wake of the Conquest made it all the more important to emphasize the connection.

It was not until the end of the nineteenth century that the most famous of all English legal historians, Frederick William Maitland, would contest this widely held notion that the laws enshrined in the Anglo-Saxon past had a direct bearing on the legal practice of the present. Together with Frederick Pollock, his *History of English Law before the Time of Edward I* (1895) held that the origins of recognizable English legal practice were to be found in the reign of Henry II. The immediately succeeding years witnessed the release of Felix Liebermann's monumental three-volume *Die Gesetze der Angelsachsen* (1903-1916), still the definitive edition of Anglo-Saxon law.<sup>6</sup> Trained in a philological tradition that has its roots with scholars such as Jakob Grimm, Liebermann produced a study that was primarily a linguistic (the second volume is a glossary) and textual exercise, and one

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<sup>6</sup> Citations of codes other than Andover in this chapter are taken from Liebermann's edition, with the exception of Cnut's 1018 code, which follows the edition found in Kennedy, "Cnut's Law Code of 1018:" 72-81.

that makes little attempt to establish historical context for the laws or to demonstrate change over time.

The impact of Maitland and Liebermann combined to render the laws of Anglo-Saxon England static and disassociated from any connection with the present, or even with post-Conquest practices. No longer valued for their supposed contributions to England's constitutional development, their relevance to the kingdom's political and social history has also been questioned by scholars who have become increasingly aware of the potential gap between the ideological aspirations articulated by these laws and their application in everyday life.

Two specific developments in the last century are of particular consequence for the analysis carried out in this chapter. The first is the result of several decades of sustained paleographic and stylistic analysis which has revealed Wulfstan, Archbishop of York, to be the figure behind the later legislative work of Æthelred and all of that of his successor Cnut, as well as a great many other legal texts.<sup>7</sup> The second is the release of what is by far the most ambitious and comprehensive treatment of Anglo-Saxon laws since Liebermann, Patrick Wormald's *The Making of English Law: King Alfred to the Twelfth Century* (1999). As is evident from the title, Wormald's purpose was to push back against Maitland, arguing for continuity between the pre- and post-Conquest periods, while at the same time attempting to situate the production of Anglo-Saxon legal writing in the context of Carolingian and post-Carolingian Europe.

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<sup>7</sup> See the discussion of Wulfstan in the Introduction, pp. 62-63, and the references cited therein.



### The Andover Code

The code issued at Andover by Edgar (ruler of the northern part of the kingdom from 957 and of the whole from 959 until his death in 975) and known to later legal historians as II and III Edgar is particularly suited to such an investigation.<sup>8</sup> A brief introduction to this text is in order. It lacks any internal indications as to the time of its composition (indeed, even the location of Andover must be inferred from a reference to one of its laws found in a later code), but circumstantial considerations make a date in the late 960s most plausible.<sup>9</sup> It is longer than most of its contemporaries, and this length is matched by a degree of sophistication in its composition, with Wormald deeming it “the most thoughtfully crafted Anglo-Saxon law-making to date.”<sup>10</sup> Finally, in comparison to other codes, it has been fortunate in its preservation; four contemporary, complete or partial versions of this text survive in the vernacular original, and to them can be added a nineteenth-century transcription from another partial version that has subsequently disappeared. Among Anglo-Saxon legislation codes, Andover is second only to Alfred’s *Domboc* in the number of surviving witnesses.

The relatively large number of copies of Andover is not in itself sufficient to command our interest, however. Rather, it is the substantial variation that can be

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<sup>8</sup> Schmid, *Die Gesteze der Angelsachsen*, 184-92, provides a critical edition of the Andover code and was the first to entitle it II and III Edgar. Andover’s partition into two codes predates Schmid (e.g., Thorpe, *Ancient Laws*, 111-14) but has no real basis in the manuscript evidence, in which the division between the largely ecclesiastic material (II) and the more worldly or “woruldcunde” material (III) is denoted by nothing more than a slightly enlarged and illustrated capital. This code also featured in Chapter One’s discussions of the kingdom’s weights, measures and coinage.

<sup>9</sup> Wormald, *Making of English Law*, 441-42, with references, on the question of dating.

<sup>10</sup> *Ibid.*, 317.

discerned among these manuscripts. The nature of the scribal process virtually guarantees the impossibility of achieving absolute uniformity between two copies of the same text, and additions and subtractions from one copy to another are not uncommon. The extensive differences in Andover, however, are of another order of magnitude, as has been acknowledged for over a century.<sup>11</sup> It is the number and variety of these differences that make Andover unique and provide a window onto the process of standardization of the written law. In what follows, each of the surviving vernacular versions of Andover is introduced, as are the manuscripts in which they are located. (A summary of all five manuscripts is presented in Table 1.) Next, differences between these versions are categorized and examined. Finally, the results are analyzed, with an eye towards determining the nature of the changes that were introduced and whether these changes can reveal an evolution in the sense of how the law should be represented and, perhaps, how it should function.

### **The Manuscripts**

The version of Andover that appears to have best evaded subsequent emendation and is thus likely closest to the original is that found on ff. 42r-44v of the first part of the composite manuscript London, British Library, Cotton Nero A.i(A), identified as ‘G1’ by Liebermann in his edition, the *sigla* of which are utilized in this study.<sup>12</sup> Neil Ker dates

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<sup>11</sup> Liebermann, 3:133-34. In his edition, Liebermann uses boldfaced type to highlight most of the variant readings.

<sup>12</sup> *A Wulfstan Manuscript Containing Institutes, Laws and Homilies: British Museum Cotton Nero A.i.*, ed. Henry R. Loyn, *Early English Manuscripts in Facsimile* 17 (Copenhagen: Rosenkilde and Bagger, 1971) provides extensive description and discussion of this manuscript in addition to the facsimile. My observations on this manuscript’s version of Andover are taken from this reproduction.

the production of the ‘A’ part of this manuscript to the mid-eleventh century on paleographic grounds.<sup>13</sup> Wormald makes an admittedly tentative case for associating the manuscript with Canterbury and, based on its contents, for a slightly later date of production, either around the Conquest or in its immediate aftermath.<sup>14</sup>

Table 1. The Manuscripts of Edgar’s Andover Code (II & III Edgar)

<i>MS</i>	London, BL Cotton Nero A.1(A)	London, BL Harley 55 (A)	London, BL Cotton Nero A.1(B)	Cambridge, Corpus Christi College 201	Oxford, Bodleian Vet.A.3 c.196
<i>Liebermann</i> <sup>15</sup> <i>siglum</i>	<b>G1</b>	<b>A</b>	<b>G2</b>	<b>D</b>	<b>T</b> <sup>16</sup>
<i>Ff/pp</i>	ff. 42r-44v	ff. 3v-4v	ff. 88r-89r	pp. 46-48	Inside back cover
<i>Status</i>	Complete	Complete	Incomplete; begins in III Edgar 3	Complete	Incomplete; cuts off in III Edgar 6
<i>Ker</i> <sup>17</sup> #	163	225	164	49B	411
<i>Date</i>	s. xi med.	s. xi <sup>1</sup>	s. xi in.	s. xi med.	19 <sup>th</sup> century transcription of a lost original dated s. xii

In addition to Andover, the fifty-seven surviving folia in Nero A.i(A) contain Cnut’s signature code (like Andover, its ecclesiastic and secular parts divided by later editors

<sup>13</sup> Neil R. Ker, *Catalogue of Manuscripts Containing Anglo-Saxon* (Oxford: Clarendon, 1957), no. 163.

<sup>14</sup> Wormald, *Making of English Law*, 225-28.

<sup>15</sup> Liebermann: *Die Gesetze der Angelsachsen*.

<sup>16</sup> This ms. was not known to Liebermann and is identified as “T” for the purposes of this study.

<sup>17</sup> Ker: *Catalogue of Manuscripts Containing Anglo-Saxon*.

into Cnut I-II) and the *capitula* and preface to the Laws of Alfred and Ine–Alfred’s *Domboc*. In its current state the preface is incomplete, breaking off at the end of the last extant quire. Additionally, two anonymous bits of legal material can be found between the *capitula* and preface. The first, beginning “Romgescot,” addresses the payment of Peter’s Pence. The text is only twenty-four words in length and unique to this manuscript.<sup>18</sup> The second, and far more substantial, *Iudex*, is an Old English translation, with some elaboration, of chapter 20 (*de iudicibus*) of Alcuin’s *De Virtutibus et Vitiis*, dealing with the propriety and probity of judges.<sup>19</sup>

In short, the contents of this manuscript were exclusively given over to legal material, which, as we will see from the other versions of Andover, was somewhat anomalous for Anglo-Saxon codices. Wormald’s argument that Nero A.i(A) represents an attempt to support the ultimate Anglo-Saxon legislative achievement, Cnut I-II, with two of the predecessors to which it is most indebted is certainly plausible.<sup>20</sup>

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<sup>18</sup> The relative proximity of *Romscot* (as later editors refer to this code) to Andover may not be entirely coincidental. II Edgar 4 represents the first treatment of Peter’s Pence in attributable legislation, and does so in a fashion that is at once more comprehensive and harsher in the penalties sets out for transgressors in *Romscot*.

<sup>19</sup> Again, this is subject matter addressed by Andover. Wormald, *Making of English Law*, 227, 383, notes some of the similarities between *Iudex* and III Edgar, although he finds the association of both *Romscot* and *Iudex* with Alfred’s *Domboc* more compelling. Unlike *Romscot*, we are not dependent on G1 for our knowledge of *Iudex*; it survives in a transcription of the since-burnt London, British Library, Cotton Otho B.xi, and, retranslated from Old English back into Latin, in *Quadripartitus*.

<sup>20</sup> *Ibid.*, 228: “What it seems to reflect is dawning awareness that major statements of Anglo-Saxon law should be supplemented by the codes that contributed to them.”

A version of Andover is also reproduced on ff. 3v-4v of London, British Library, Harley 55 (A), referred to as ‘A’ by Liebermann.<sup>21</sup> In his *Catalogue*, Ker initially dated the hand of this manuscript to the first half of the eleventh century; his subsequent identification of Harley 55 as one of the ten manuscripts containing the handwriting of Archbishop Wulfstan allows for a more precise dating to the early years of this period.<sup>22</sup> As with Cotton Nero A.i, in its present form this manuscript is also a composite, having been joined to nine folia that contain a text of Cnut’s laws written in a mid-twelfth century script at a later date.

The (A) portion of Harley 55 comprises just four folia, and thus may well have been excised from another manuscript at some point. Andover is the middle of three items found in this section. The first text is a medical treatise on the diagnosis and treatment of “the half-dead disease” (“*seo healfdeade adl*”) or hemiplegia. The last is an account of property alienated from the see of York during the archiepiscopacy of Oswald (971-92), in whose name the complaint is written. The hand that Ker identifies as Wulfstan’s can be found annotating both this property memorandum and Andover. Unlike Nero, A.i(A), it is difficult to construct a rationale for the association of these three texts, and the apparently fragmentary nature of their survival compounds the problem.<sup>23</sup> The question of

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<sup>21</sup> A *Wulfstan Manuscript* provides a facsimile of the leaves containing Andover in its appendix. Again, my comments are based on this reproduction.

<sup>22</sup> Ker, *Catalogue*, no. 225; idem, “The Handwriting of Archbishop Wulfstan,” 315-19. Ker’s attribution has not gone unchallenged; Hohler, “Some Service Books,” in Parsons, *Tenth-Century Studies*, 71-74, nn. 47, 59, presents a decidedly pessimistic view of the level of erudition in the later Anglo-Saxon church in general and of Wulfstan in particular. Patrick Wormald, “Archbishop Wulfstan and the Holiness of Society,” in idem, *Legal Culture in the Early Medieval West*, 226-29, responds to Hohler and summarizes the current state of the question.

<sup>23</sup> Wormald, *Making of English Law*, 186-90, explores the issue.

provenance initially appears to be an easier one. The property memorandum, in addition to Wulfstan's autograph, might be taken to demonstrate an association of this manuscript with York. Oswald, however, like his successor, held York in plurality with Worcester, and so the latter needs to be considered a possibility as well. Furthermore, Ker notes that Harley's version of Andover has three glosses in the 'tremulous hand,' a script associated with a distinctive and prolific thirteenth-century scribe who has been located at Worcester, indicating that if the manuscript didn't originate there, it had certainly arrived there within a few centuries.<sup>24</sup>

Another version of Andover that can be associated with Wulfstan is on ff. 88r-89r of the second, or (B) part of Cotton Nero A.i, identified by Liebermann as 'G2.'<sup>25</sup> Due to a missing bifolium, this version is incomplete, beginning in the middle of III Edgar 3 and missing nearly two-thirds of the code. In his *Catalogue*, Ker dates the manuscript to the beginning of the eleventh century, a dating supported by his later identification of the Wulfstan hand in this manuscript (although it is not found in what remains of Andover).<sup>26</sup>

Nero A.i(B) has 108 extant folia in ten gatherings. The first five quires, written almost entirely in Old English, consist of legal material, homilies attributed to Wulfstan and four blocs of his *Institutes of Polity*, whereas the later, Latin, quires include further

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<sup>24</sup> Wendy Collier, "The Tremulous Worcester Hand and Gregory's *Pastoral Care*," in *Rewriting Old English in the Twelfth Century*, ed., Mary Swan and Elaine Treharne (Cambridge: University Press, 2000), 195-96, surveys the historiography on the 'tremulous hand.'

<sup>25</sup> Loyn, *A Wulfstan Manuscript*, 32-33, discusses when the two parts may have been joined. Again, my observations are based on the facsimiles in this volume. Lieberman, 1:xxv-xxvi, although acknowledging the presence of multiple scribal hands in Nero A.i, does not recognize the ms. as a composite.

<sup>26</sup> Ker, *Catalogue*, no. 164.

homilies, ecclesiastical canons and a collection of material relating to penance.<sup>27</sup>

Wormald suggests that the first three gatherings, which include Andover, be considered its own distinct section, possibly originating as a separate book.<sup>28</sup> The contents of this section are: 1) Fourteen chapters of the *Institutes of Polity*; 2) Wulfstan's homily "On Christianity" (*Be Cristendome*); 3) His homily "On Divine Warning" (*Be godcundre warnunge*); 4) Æthelstan's Tithing Ordinance, more generally known as I Æthelstan; 5) I Edmund, almost all of which has fallen victim to the same lost bifolium that claimed much of Andover; 6) Andover itself; 7) V Æthelred; 8) The anonymous code *Grið*, attributed to Wulfstan and dealing with the protections and privileges due the Church;<sup>29</sup> 9) An attenuated version of VIII Æthelred with the rubric "On sanctuary" (*Be cyricgriðe*) that stops at clause 5.2, at the conclusion of that code's laws pertaining to sanctuary and 10) A short text on the prerogatives due certain Northumbrian churches (*Norðhymbra cyricgriðe*) and protection in general.<sup>30</sup> In its present state, the last quire is incomplete, consisting of only the first three leaves—the last of which is badly worn—although it is

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<sup>27</sup> Loyn, *A Wulfstan Manuscript*, 14-18, 46-54, lists and describes the associated elements.

<sup>28</sup> Wormald, *Making of English Law*, 199-203. Most compelling of the reasons adduced are: the presence of a single scribal hand in this section, one that is not found elsewhere in the ms.; variations in layout from other sections; and the duplication of certain texts (in particular, the law code V Æthelred) here and in other parts of the ms.. Pamela R. Robinson, "Self-Contained Units in Composite Manuscripts of the Anglo-Saxon Period" *Anglo-Saxon England* 7 (1978): 231-38, discusses such "booklets" and identifies four in Nero A.i(B).

<sup>29</sup> Wormald, *Making of English Law* 394-95, discusses this code and a possible date of composition. *Grið* is unique to Nero A.i(B).

<sup>30</sup> Richard Dammary, "Editing the Anglo-Saxon Laws: Felix Liebermann and Beyond," in *The Editing of Old English*, eds. Donald Scragg and Paul Szarmach (Oxford: Blackwell, 1994), 251-61, argues that this last piece, which is also unique to this ms., should be viewed as a part of the preceding VIII Æthelred.

impossible to say whether what originally followed was a continuation of VIII Æthelred or some other text(s). The last piece, on churches in the north, taken with the texts' Wulfstanian associations, may be seen to argue for York as the origin of this manuscript, but again, as with Harley 55, may also indicate nothing more than a proximity to Wulfstan himself.

The final extant vernacular copy of Andover is found on pp. 46-48 of Cambridge, Corpus Christi College 201, denoted as 'D' by Liebermann and yet another composite manuscript.<sup>31</sup> Ker dates the section of this manuscript containing Andover to the mid-eleventh century.<sup>32</sup> Although this manuscript has no trace of the Wulfstan hand, and its composition likely postdates the archbishop, the text of Andover shares numerous readings with A and G2, and its presence among an extensive collection of material connected to Wulfstan argues for its association with the tradition that produced the two earlier versions

This material is contained in an autonomous section of some seventy folia.<sup>33</sup> There are more than fifty discrete texts in this section. A simple listing of each of them would be otiose, but their character can be gleaned from a simple categorization. Wulfstan was either the sole or one of the primary authors of the majority of the texts. These include the entire first version of his *Institutes of Polity*, as well as several of the elements that were

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<sup>31</sup> Digital reproductions are available through the Parker Library on the Web, which is the source for my observations on this manuscript.

<sup>32</sup> Ker, *Catalogue*, no. 49B. Some other elements (49A in Ker) are attributed to the beginning of the eleventh century.

<sup>33</sup> Wormald, *Making of English Law*, 208, characterizes this section (his 'b') as a "self-contained unit," although Corpus 201 is not among the manuscripts so identified by Robinson.



part of the second, unfinished version; his *Canons of Edgar*; nearly thirty of his homilies, although not all of them are complete when compared with versions found elsewhere; the *Benedictine Office*, lacking some of its poems, two of which the same scribe includes at a later point in the manuscript; and the legal texts V Æthelred, VII Æthelred, VIII Æthelred, Cnut's code of 1018 and five anonymous codes dealing with rank and status.<sup>34</sup>

A second, smaller, group of texts includes those which were addressed to Wulfstan, those which he modified or made use of in his own composition, and those which are also found in manuscripts that contain his glosses or emendations. In addition to Andover, they include one of Ælfric's Pastoral Letters for Wulfstan, the penitential *Old English Handbook*, an excerpt from the penitential of Pseudo-Theodore, and the legal codes I Æthelstan (on tithes) and I Edmund. Finally, there are a few texts which cannot be directly related to Wulfstan. In this last group are a homily;<sup>35</sup> the anonymous legal code 'The Northumbrian Priests' Law' (*Norðhymbra preosta lagu*);<sup>36</sup> and, somewhat incongruously, an Old English translation of the romance *Apollonius of Tyre*, which, due to the loss of at least one quire, now lacks much of its middle.<sup>37</sup>

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<sup>34</sup> Ibid., 391-94, on the "set" comprised by the anonymous legislation.

<sup>35</sup> Jonathan Wilcox, "The Dissemination of Wulfstan's Homilies: The Wulfstan Tradition in Eleventh-Century Vernacular Preaching," in *England in the Eleventh Century: Proceedings of the 1990 Harlaxton Symposium*, ed. Carola Hicks (Stamford: Watkins, 1992), 206, while not challenging Wulfstan's authorship of the other homilies in this ms., identifies one as a later agglomeration of his work.

<sup>36</sup> Wormald, *Making of English Law*, 396-97, while acknowledging Wulfstan's influence on this text, argues that elements of this code are sufficiently at odds with his other writing that it must be the work of one of his successors at York. The code is unique to this ms..

<sup>37</sup> *Apollonius* is the last item in this section. Thus, although it is in the hand of the scribe who copied the rest of this section, and although it commences on the same page immediately

This section then, with the exception of the last item, is of various sorts of ‘Wulfstanian’ material. Wormald deems it “a manual for the drilling of a Christian society like Nero A.i(B), only fuller,” and speculates that this section was “a version, at one or more removes, of a ‘master-copy’ kept in Wulfstan’s cathedral libraries.”<sup>38</sup> The proviso “at one or more removes” stems from the identification of one of the scribes appearing in this manuscript with Winchester (although this scribe was not responsible for any of the material in the section containing Andover.) This need not present undue difficulties, as one could certainly expect that by the mid-eleventh century, Wulfstan’s influence and his books would have spread beyond Worcester and York.

The last version of Andover to be considered in this study can be introduced much more quickly. Richard Taylor (1781-1858) was a Norwich printer and antiquarian.<sup>39</sup> On the foot of page 62 of his copy of Abraham Whelock’s (1644) edition of *Archanomia* (now Oxford, Bodleian Library, Vet. A.3 c.196) he wrote:

The above various readings have been obtained from a parchment leaf which I have collated with the text of this edition. It is in the possession of Mr. Stevenson of Norwich, printer, and was found pasted on the inside of the cover of a more recent MS—Richard Taylor—1811 [and, a bit lower] I have endeavored to imitate the character some trifling differences of spelling have been passed over, - e.g., ð for þ and the omission of e final.

Mr. Stevenson’s leaf has never been recovered, but what Taylor had preserved was an otherwise unknown version of Andover. In addition to collating this leaf against the

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following the previous text (a portion of the *Institutes of Polity*) it need not have always been an integral part of this otherwise homiletic, legal and canonical collection.

<sup>38</sup> Wormald, *Making of English Law*, 208. In this interpretation, it may be significant that Andover is immediately followed by V Æthelstan in both Nero A.i and Corpus 201.

<sup>39</sup> See W.H. Brock, “Taylor, Richard,” *Oxford Dictionary of National Biography* (Oxford: University Press, 2004), doi:10.1093/ref:odnb/27074, for Taylor.

published version of Andover in the pages of *Archanomia*, he also provided a complete transcription on the inside of the back cover.<sup>40</sup> His exemplar was not complete, ending on the opening line of III Edgar 6. Furthermore, it was apparently somewhat damaged, particularly near the end, as Taylor at times had to resort to ellipses to indicate unreadable material. Nonetheless, roughly seventy percent of Andover has been preserved.

Taylor's discovery remained unknown until the early twentieth century.<sup>41</sup> It was thus unavailable to Liebermann; for the purposes of this study, it shall be identified as 'T.' Taylor was fastidious enough in his transcription to allow Ker to date the hand of his exemplar to the twelfth century.<sup>42</sup> Taylor also appears to have attempted to reproduce the punctuation and general layout of the original. While not unimpeachable, therefore, it still provides a valuable and distinct witness to an otherwise lost line of transmission.

Lastly, a version of Andover that will **not** be considered in this study needs to be briefly addressed. *Quadripartitus*, the twelfth-century legal encyclopedia of Latin translations of Anglo-Saxon legislation reproduces Andover in three of the six extant copies.<sup>43</sup> While *Quadripartitus* does represent another line of transmission, it is one that is too far removed, both linguistically and codicologically, from Anglo-Saxon England to

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<sup>40</sup> In July, 2010, I had the opportunity to examine, photograph and transcribe this ms. Unless otherwise noted, references to this version are to the transcription and not the collation.

<sup>41</sup> Kenneth Sisam, "Review: *The Laws of the Earliest English Kings*. Edited and translated by F. L. Attenborough" *Modern Language Review* 18 (1923): 100, disclosed the existence of Taylor's transcription, then in Sisam's possession. Wormald, *The Making of English Law*, 259-60, reviews the dissemination and the (minimal) amount of attention the transcript has subsequently received.

<sup>42</sup> Ker, *Catalogue*, no. 411.

<sup>43</sup> Wormald, *The Making of English Law*, 240-43, reviews the production history of *Quadripartitus*. Andover appears only in what he deems the later recensions.

offer evidence on the ongoing process of standardization. A brief examination of Liebermann's columns shows that the *Quadripartitus* compiler's version of Andover was, like G1, insulated from the influence of Wulfstan, but beyond such rough approximations, there is little that can be done with the tradition that it represents.

### The Text

I have compared and collated these five versions of Andover (G1, A, G2, D and T) with one another. The goal of this exercise was twofold: first to identify the nature of the changes from one version to another, with an eye towards identifying the aspects of the texts for which such change was deemed necessary; and second to investigate, when possible, the degree to which these modifications brought the original text of Edgar into closer conformity, both in form and in content, with its Anglo-Saxon successors, in particular with either the later codes of Æthelstan or those of Cnut, both of which Wulfstan had a primary role in drafting. References to the various clauses of Andover follow Liebermann's edition.

We begin with orthography, which provides a negative example of standardization. This is especially true of vowels and diphthongs, but initial consonants, prefixes, declensions and the compounding or separation of words also offer many instances of scribal independence. Indeed, in all but the shortest clauses, one would be hard put to find two exactly identical readings. A simple instance, chosen very much at random, should prove sufficiently illustrative. III Edgar 3 concludes by indicating that the penalty shall be received by the diocesan bishop on behalf of the king. This is variously rendered:

**G1:** 7 ámanige þære scyrbiscop þa bote to ðæs cynges handa

**A:** 7 amanige þære scyre bisceop þa bote to ðæs cynges handa

**G2:** 7 ofmainge þære scire biscop þa bote to ðæs cynges handa

**D:** 7 ofmanige scirebiscop þa bote to ðæs cynges handa

**T:** 7 amanige þere scire bisceop þa bote to þes cyninges handa

The difference in the various forms of *scirbisceop* is instructive, particularly given that shortly thereafter, in III Edgar 5, in G1 and A, the same word is given, respectively, as *scirebiscop* and *scire biseceop*.<sup>44</sup> Thus even within some of the texts, spelling is subject to considerable variation. How much this eclecticism is due to the scribes of each text and how much is due to their exemplars cannot, of course, be determined. It is sufficient to state that there is no evidence of a concern with consistency in the spelling of these texts.

Syntax is another field from which little can be gleaned, for precisely the opposite reason. Whereas orthography shows nearly limitless variation, the various texts of Andover show practically no variation in word order. Change is introduced by the addition, subtraction or substitution of various words, but the principles of clause and sentence construction appear to remain constant.

Orthography and syntax are just two of the possible differences in the form, rather than the substance, between the various texts of Andover is. These differences, in matters as diverse as punctuation, pronouns and headings to mark divisions within the code show the existence of and changes to standards for legal texts. Attempts to conform Andover to these standards are significant insofar as they speak to an ongoing concern with the accessibility of Edgar's law to its readers. A recitation of these differences, however,

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<sup>44</sup> Liebermann, 1:202, sees the same word divided ("scire biscop") in its latter iteration in D, although to my eye it is written as a compound in both instances.

risks smothering their overall import beneath an abundance of detail. These details can be found in Appendix E; they are summarized in the next few paragraphs.

The versions of Andover most closely associated with Wulfstan, A and G2, display the clearest indications that they were copied with an awareness of standards of organization that were absent when the code was originally set down, but none of the texts appear to be in full compliance with these standards. For example, although the Wulfstan group shows a greater predilection than G1 and T for Roman numerals, particularly when representing numbers that were contained in material that was added to the original, none of the versions is either internally consistent nor in complete accord with another in their usage. As regards punctuation, A and G2 are considerably more sophisticated than G1, T and D. With the exception of the transition from religious to secular law (II Edgar to III Edgar) G1 bears no indication of major breaks. T and D make occasional use of capitals for this purpose; those in D are rubricated but occur at a somewhat lower frequency. Finally, A and G2 have the highest incidence of such breaks, employing both capitals and insular ampersands which are either enlarged (A) or rubricated (G2).

The different versions also show that Andover was subjected to a variety of textual additions, subtractions, substitutions or other modifications intended to create a clearer reading or to add emphasis. Four points can be drawn from an analysis of these changes. First, T shares many—but not all—readings with A, G2 and D and against G1, suggesting that at least some of the changes to Andover preceded Wulfstan. Second, when changes were made to clauses that recurred in other codes associated with Wulfstan, the readings

from those codes correlate with the readings found in A, G2 and D as opposed to those in G1 or T. Third, when A, G2 and D differ from one another, readings from other codes do not favor one of these versions to the exclusion of the others; however, the text of D is the preferred reading more often than that of A or G2. Finally, D also contains a greater number of obvious errors than any of the other Andover versions.

Of course, as the variant readings in III Edgar 8.2 demonstrate, the determination of an error is not always obvious. While A, D and G2 legislate against selling wool any cheaper (“undeoror”) than the fixed price, G1 is directed against those who sell it for more (“deoror”) than that price. This might well be an error, one in which the initial prefix was dropped at some point in the transmission of this text. It should be noted, however, that the Latin reading in *Quadripartitus* has the same meaning.<sup>45</sup> Therefore, if this was an error, it was one that was replicated somewhat extensively. The alternate possibility, that the two readings represent a deliberate change in response to a shift in economic conditions from the time when Edgar first drafted the code, must be considered. With this example, our focus shifts from stylistic changes made to Andover to changes that clearly altered the meaning of the code.

There are a few relatively minor changes. One has already been encountered in Chapter One, the modification to III Edgar 8.1 that added a single weight to the single measure that had been decreed in the original text. Another can be found in the same clause. The G1 reading “and measure, such as the one kept in Winchester,” was expanded in A, D and G2 to “And one measure shall go, and one weight, such as the one kept in

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<sup>45</sup> *Quadripartitus*: “et nemo **carius** uendat eam.”

London and Winchester.”<sup>46</sup> This modification reflects a concern not only with regulating commerce, by means of standardized weights, but also with recognizing London’s growing role as a center for trade and export activity, a center that was in the process of eclipsing the traditional capital of the Wessex dynasty.<sup>47</sup>

To the stricture in III Edgar 7.3 that no demonstrated thief or traitor could expect to keep his life, D appends the proviso “unless the king grants the preservation of his life.”<sup>48</sup> Given the date of the D manuscript’s composition, the phrase may post-date Wulfstan. This potentially mitigating language is not found when the rest of the clause is repeated in II Cnut 26, and II Cnut 64 would seem to indicate that there was no room for such leniency, as it includes both theft and treason in its lengthy list of “unredeemable” (“botleas”) crimes. On the other hand, Wulfstan’s legislation is hardly consistent on this point; the necessity for mercy is consonant with much of his writing, including the laws. Indeed, “merciful punishments” (“friðlice steora”) are commanded in a clause repeated in V Æthelred 3, VI Æthelred 10 and II Cnut 2.1, and the king is explicitly reserved the right to pardon otherwise unforgivable offenders in the cases of those who fight in his household (II Cnut 59) and even in the extreme case of one who commits homicide

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<sup>46</sup> **G1**: “7 gemet swylce man on Wintancestre healde;” **A** “7 **gange an** gemet **7 an gewihte** swylce mon **on Lundenbyrig 7** on Wintancestre healde.”

<sup>47</sup> For the development of London, see Alan Vince, “The Economic Basis of Anglo-Saxon London,” in *The Rebirth of Towns in the West, AD 700-1500*, eds. Richard Hodges and Brian Hobley (London: Council for British Archaeology, 1988), 83-92; and Derek Keene, “London, 600-1200,” in *Europäische Städte im Mittelalter*, eds. Ferdinand Oppl and Christoph Sonnlechner, (Innsbruck: StudienVerlag, 2010), 95-118. Richard Holt, “The Urban Transformation in England, 900-1100,” *Anglo-Norman Studies* 22 (2010): 57-78, offers a broader review of late Anglo-Saxon urbanization.

<sup>48</sup> **D**: “buton se cyninge him feorhgeneres unne.”



within the walls of church (VIII Æthelred 1.1, copied in I Cnut 2.3; see also I Cnut 2.2.).

Thus, D's modification to Andover might well represent a late addition by the archbishop.

There are two other minor modifications to the Andover code. In III Edgar 4, dealing with slander, G1 and T address one whose false accusations can worsen another's "property or life."<sup>49</sup> In A, an interlinear addition in the hand of the main scribe suggests "or interest" ("vel freme") directly above "life," and D and G2 adopt the suggested reading into the main text, which is also how it reads when this clause is recycled into II Cnut 16. This would appear to present an atypically dynamic view of the process through which the Andover code was deliberately modified, with an alternative suggested in one version and then adopted in those that followed.<sup>50</sup> A bit further, III Edgar 7, G1, in a discussion of one who has a bad reputation, has "and if he avoids the assembly," which is expanded in A, D and G2 to "and if he avoids the assembly **thrice**," a modification that also appears when the clause is repeated in II Cnut 25.<sup>51</sup>

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<sup>49</sup> **G1**: "oððe feo oððe feore."

<sup>50</sup> But see Wormald, *Making of English Law*, 188-89, 313 n. 227, for the argument that instead of indicating a novelty, the intrusion of "freme" represents Wulfstan's desire to restore original readings to the text. Dobyns, 49, indicates Wulfstan employed the word only once in his homilies, and it doesn't appear in any other of his laws, so the archbishop does not appear to have been especially prone to using it. On balance, however, Wormald's position, while intriguing, is not completely persuasive, and raises its own difficulties, such as the absence of any similar modifications in the A copy of Andover. It is also far from clear that the archbishop, while certainly interested in older codes in general and Andover in particular, placed a high priority on establishing the most authentic possible reading. In either instance, the case of "freme" does offer an otherwise unattested view of Wulfstan's editing.

<sup>51</sup> **G1**: "7 þas gemot forbuge;" **A**: "7 þas gemot forbuge **ðriwa**."

There are three points in Andover at which the text of A, D and G2 shows much more substantial interpolations when compared with G1 and T. As has been established, the parent manuscripts of these texts can be associated with Wulfstan, and his authorship of at least the first two of these interpolations has been strongly argued and will be accepted for this dissertation.<sup>52</sup> The first of these is II Edgar 2.3, which reads “one shall render the church-dues on ploughed lands when it is fifteen nights after Easter.”<sup>53</sup> This is not the first appearance of plough-alms (“sulhælmæssan”) in Anglo-Saxon legislation. Upon closer inspection, however, the earlier usages appear suspect. The first is in I Æthelstan 4, which indicates that “plough-alms [shall be rendered] yearly.”<sup>54</sup> The only extant vernacular versions of this code are in two manuscripts with demonstrated Wulfstan associations, Nero A.1(B) and Corpus 201. The Latin version in *Quadripartitus* has no reference to plough-alms.<sup>55</sup> The second instance that predates Andover, I Edmund 2, presents even stronger evidence of later editorial interference. This code survives in the vernacular in three manuscripts—only one of which, Corpus 201, can be connected with

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<sup>52</sup> Wormald, *Making of English Law*, 313-315 summarizes the argument for Wulfstan’s involvement, which hinges on the substantive and stylistic parallels between much of the interpolated material and legal codes—especially V and VI Æthelred, Cnut’s 1018 code and I Cnut—and homilies of which Wulfstan is known to have been the author.

<sup>53</sup> A: “7 gelæste man sulhælmæssan þonne XV niht beon onufan eastren.” The D version omits the initial “7.”

<sup>54</sup> I Æthelstan 4: “7 sulhælmæssan on geara.”

<sup>55</sup> When he does encounter it, in I Cnut, the compiler of *Quadripartitus* translates plough-alms as “elemosina carrucarum.” As for the other Latin reworkings of I Cnut, the *Instiuta Cnuti* does the same as *Quadripartitus*, while the *Consiliatio Cnuti* has “aratri elemosina.” The only other Latin reading is in the paraphrase of VI Æthelred composed at approximately the same time as its vernacular counterpart and in which the hand of Wulfstan has been identified. Here, plough-alms is given as “aratrales elemosine.”

Wulfstan—as well as *Quadripartitus*.<sup>56</sup> In Corpus 201 the clause begins “tithing we require of each Christian man, in conformity with his Christianity, and church-scot and **Romescot and plough-almes**,” but in the other versions this reads “tithing we require of each Christian man, in conformity with his Christianity, and church-scot and **almes**.”<sup>57</sup>

Given Wulfstan’s demonstrated interest in Andover, it is difficult to escape the conclusion that these modifications were also made by the archbishop.<sup>58</sup> A survey of the use of “sulhæmesse” furthers this contention. The *Dictionary of Old English* shows that this word appears thirteen times in the surviving corpus of Old English, in various canonical, homiletic and legal contexts.<sup>59</sup> With the exception of Æthelstan’s and Edmund’s codes, all of these usages are in texts that have been attributed to or inspired by Wulfstan. The question, which must be deferred for now, is why, in comparison with Andover, he limited himself to such relatively minor changes to these earlier codes.

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<sup>56</sup> The other manuscripts are Cambridge, Corpus Christi College 383 and Rochester, Cathedral Library, A.3.5, better known as *Textus Roffensis*. It must also have once been in Nero A.i(B), but only the first seven lines remain, the rest being lost with the same bifolium which contained the first part of the G2 Andover.

<sup>57</sup> **I Edmund 2 Corpus 201:** “Teoðunge we bebeodað ælcum cristene men be his cristendome and ciricsceat 7 **romfeoh 7 sulhælmessan**,” **Corpus 383:** “Teoðunge we bebeodað ælcum cristenum men be his cristendome 7 cyricsceat 7 **aelmesfeoh**.” *Quadripartitus* follows the later readings: “deciman precipimus omni christiano super christianitatem suam et cyricsceatum id est ecclesie censum et ælmesfeoh id est elemosine pecuniam.” Church-scot (*cirisceat*) was a fixed render of grain for each hide of land, evidence for which can be found in sources dating back to the eighth century. Francesca Tinti, “The ‘Costs’ of Pastoral Care: Church Dues in Late Anglo-Saxon England,” in *Pastoral Care in Late Anglo-Saxon England*, ed. eadem (Woodbridge, Boydell: 2005), 27-51, reviews past scholarship on church-scot and speculates as to its tenurial origins.

<sup>58</sup> Wormald, *Making of English Law*, 295, 309, discusses this and other evidence for Wulfstan’s involvement in Æthelstan’s and Edmund’s legislation.

<sup>59</sup> *Dictionary of Old English Web Corpus*, compiled by Antonette diPaolo Healey with John Price Wilkin and Xin Xiang (Toronto: Dictionary of Old English Project, 2009), s.v. “sulhæ\*,” yields “sulhæmesse,” and its variants “sulhælmýssan,” and “sulhæmessan.”

The importance of plough-alms for Wulfstan is conveyed by the legislation that he had a direct hand in drafting, in which he took up the topic on five separate occasions.<sup>60</sup> In none of these instances does he exactly repeat the language of Andover, but they all are close paraphrases. The key point of the Andover clause, that plough-alms must be paid within fifteen night of Easter, is preserved in all of them. In each case the mention of plough-alms is part of a larger discussion of ecclesiastical dues, and Wulfstan inserted it into Andover in a position where it could serve a similar function. Although modern editors have hived it off into its own clause (2.3), it is better considered the opening of the next clause (3) which would then consist of four different obligations, plough-alms, the tithe of young animals, the tithe of the fruits of the earth, and church-scot, presented in the order in which they come due throughout the year (Easter, Pentecost, the (autumnal) equinox and Martinmas (i.e., November 11) respectively.

The next addition comes at the end of II Edgar 5.1. The section of this clause that is common to all versions reads “and the people shall observe each proclaimed fast with all diligence.”<sup>61</sup> The A text, uniquely, then has “and fast each Friday, unless it is a feast day.”<sup>62</sup> After this both A and D read “and one shall render soul-scot for each Christian man to the church that it is due to [5.2], and every right of sanctuary shall stand just as it

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<sup>60</sup>V Æthelred 11.1, VI Æthelred 16, VIII Æthelred 12, 1018 Cnut 13.1 and I Cnut 8.1. In addition, it is also found in an anonymous text, attributed to Wulfstan, known as *The Peace of Edward and Guthrum* 6.3.

<sup>61</sup> A: “7 man ælc beboden fæsten healde mid ælcere geornfulnessse.” See Appendix E, p. 298, for the minor addition to A, D and T in this phrase.

<sup>62</sup> A: “7 ælces frigedæges fæsten buton hit freols sy.”

best stood in the past [5.3].”<sup>63</sup> There are three subjects here—Friday fasting, soul-scot and sanctuary—and each needs to be examined in turn.

There is no earlier Anglo-Saxon legislation enjoining Friday fasts. A proximity search of the *Dictionary of Old English* shows that “Friday” and “fast” were only associated with one another on particular occasions, such as the three Fridays of the year when fasting was encouraged, or for particular instances, such as penance. Uniform Friday fasting, for all the people and in all seasons, first appears in England in laws that can be attributed to Wulfstan and in homilies that he was either directly responsible for or which borrow heavily from him. He addresses the subject four times in other legislation.<sup>64</sup> In three of these, the codes of Æthelred and Cnut’s 1018 code, the phrasing is very similar, but not identical, both to the language inserted into Andover and to each other. The fourth instance, in Cnut’s main code, is identical to that in Andover, which could be taken as an indication that they were composed in proximity to one another.

The ecclesial funerary tax known as soul-scot, the subject matter of II Edgar 5.2, presents difficulties similar to those imposed by plough-alms. The one attestation of it in a code earlier than Andover is dubious for precisely the same reasons; immediately before its discussion of plough-alms, I Æthelstan 4 reads “and the soul-scots [shall be rendered] to the places in which they rightly belong.”<sup>65</sup> As was the case with plough-

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<sup>63</sup> **A**: “7 læste man saulsceat æt ælcan cristenan men to þam mynstre, þe hit togebyrige, 7 stande ælc cyricgrið swa swa hit betst stod.”

<sup>64</sup> In V Æthelred 17, VI Æthelred 24, 1018 Cnut 14.7 and I Cnut 16*a*, although the Friday fast is dropped from the *Quadripartitus* translation of the latter.

<sup>65</sup> **I Æthelstan 4**: “7 þa sawlsceattas to ðam stowum þe hit mid rihte togebirige.”

alms, this phrase is not included in the *Quadripartitus* translation of this clause.<sup>66</sup> *The Dictionary of Old English* reveals a few charters that pre-date Wulfstan and also employ it, but none exist in manuscripts that can be dated before the millennium, and the possibility that the term was appended in the copying process cannot be ruled out.<sup>67</sup>

Again, the most extensive use of soul-scot in Old English literature is in the laws and homilies that can be connected to Wulfstan. It appears five times, in practically identical language, in his legislation.<sup>68</sup> The message of Andover is further developed, with all five stating that it is best that soul-scot be rendered before an open grave (i.e., before the grave is covered). Four of the five go on to say that if a body is buried elsewhere than the church to which it is properly assigned, one should still render the soul-scot to the church of which the deceased was a member.

The last of these clauses, II Edgar 5.3, is concerned with sanctuary (“ciricgrið”). A preoccupation with the peace and protection that should be accorded a church is evident from the inception of Anglo-Saxon law. At the onset of the seventh century, Æthelberht of Kent, author of the first Anglo-Saxon code, decreed that the fine for those who broke the peace in a church should be doubled.<sup>69</sup> Over time, we see that this peace and protection also attached to those who sheltered within a church. In his *Domboc*, Alfred

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<sup>66</sup> In I Cnut, *Quadripartitus* translates soul-scot at “pecunia sepulture, while *Consiliatio Cnuti* has “anime simbola.” The paraphrase of VI Æthelred offers “munera animabus.”

<sup>67</sup> *Dictionary of Old English Web Corpus*: s. v. “sawls\*” and “saulsc\*.” The three charters that potentially predate Wulfstan are Sawyer nos. 566, 1275 and possibly 1539.

<sup>68</sup> V Æthelred 12-12.1, VI Æthelred 20-21, VIII Æthelred 13 (in a shortened form), 1018 Cnut 13.6-7 and I Cnut 13-13.1.

<sup>69</sup> Æthelberht 1.

discusses the right to sanctuary at several points, and it is also provided for in laws of both Æthelstan and Edmund.<sup>70</sup> The insertion into Andover of a plea to preserve this right “just as it best stood” in the past shows Wulfstan’s awareness of this tradition. In his own legislation, he addressed the subject at various lengths on several occasions.<sup>71</sup> His focus differed from that of earlier codes, however. Whereas Alfred and Æthelstan were concerned to establish the degree of protection afforded by sanctuary, the archbishop dwelt upon the rigorous means by which one who violated these protections could atone, namely by buying back his own life from the king with his wergeld and then compensating both the aggrieved parties and the church within which the peace was breached, for which different levels of fines are provided, based upon the church’s status. Given his clear interest in sanctuary, therefore, it is less surprising that Wulfstan should intrude it into Edgar’s code than that he should do so in such a minimal fashion, with a phrase that does little more than affirm its existence.

Taken as a set, these three issues are demonstrably ones in which Wulfstan was interested. It is not obvious why they should be grouped together, however. The first provision, on Friday fasting, does follow logically on the original Andover discussion of the proper observation of fasts, but the discussion of soulscot and sanctuary do not. Nor are they in proximity to one another in any of Wulfstan’s other legislation. The simplest

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<sup>70</sup> Ine 5-5.1, Alfred 2-2.1, 5-5.4, 42, IV Æthelstan 6.1-2 (elaborated and slightly altered in V Æthelstan 6.1-2) and II Edmund 2.

<sup>71</sup> Closely related statements guaranteeing the right to sanctuary can be found in VI Æthelred 14, 1018 Cnut 2-2.2, I Cnut 2.1 and the anonymous codes the *Peace of Edward and Guthrum* 2.1 and *Grið* 2. The topic is developed much further in VIII Æthelred 1-5.1, most of which is incorporated into I Cnut 2.2-3.2.

explanation for why they were inserted here is that II Edgar 5.1 marked the end of the “religious” portion of the code, and thus an obvious place to add material that didn’t fit neatly anywhere else. This addition also underscores the ongoing, piecemeal nature of these revisions, as evinced by the presence of the discussion of Friday fasts in A but not D.

The final major addition can be found at the code’s conclusion. In G1, this is with III Edgar 8.2, which mandates that none shall sell wool for more than one-half pound per wey.<sup>72</sup> It has already been noted that in A, G2 and D, this becomes *less* than one-half pound. The texts in these manuscripts also add another clause: “and if anyone does sell it more cheaply, either openly or secretly, both shall yield sixty shillings to the king - he who sells it and he who buys it.”<sup>73</sup> D, uniquely, has a forty shilling fine rather than one of sixty shillings. This almost certainly represents an error (“xl” for “lx”) rather than a deliberate change; two separate payments of sixty would comprise the standard one hundred twenty shilling fine for disobedience found throughout later Anglo-Saxon law—including three other instances in Andover—whereas there are no other examples of fines of either forty or eighty shillings.<sup>74</sup>

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<sup>72</sup> For the wey (G1 “wæg;” A, G2 and D “wæge;” *Quadripartitus* “pondus”) see Liebermann 2:235. Henry Fairburn, “The Nature and Limits of the Money Economy in Late Anglo-Saxon and Early Norman England” (PhD thesis: University of London, 2013), 361-365, surveys the relative values of the wey from the tenth to fourteenth centuries.

<sup>73</sup> A: “7 gyf hwa hi þonne undeoror sylle oððe eawunga oððe dearnunga gylde ægþer þam cyngelx scyllinga ge se þe hy sylle ge se ðe hy biege.”

<sup>74</sup> Liebermann, 3:137. II Edgar 4.1, III Edgar 3 and III Edgar 7.2 all provide for a fine of 120 shillings.



The location of this addition, immediately following the stricture to which it relates, is eminently sensible. What is less clear is why it was made at all. It is atypical of Wulfstan both in subject and remedy. As we have seen, his other substantial innovations dealt with primarily religious matters. Nowhere in his own legislation does he incorporate the Andover material on the wool trade, or address the subject in any other way. In fact, with one exception, his regulations on trade of any sort are limited to prohibiting it on Sundays. The exception can be found in the archbishop's most comprehensive legislative achievement, Cnut's Winchester code, in which he establishes that goods valued at more than four pennies must be bought and sold in the presence of witnesses and the process for dealing with claims that goods alleged to have been bought were, in fact, stolen.<sup>75</sup> Even this is not original to Wulfstan; similar, although not identical, provisions can be found in Alfred's *Domboc* as well as the laws of Edward, Æthelstan and another of Edgar's codes.<sup>76</sup>

In the case of the laws of both Æthelstan and Edgar, those who do not follow the prescribed procedures for trading are subject to punishment, respectively monetary and corporal. In neither the law in Cnut's code on trading in front of witnesses nor in the several instances in which he forbids trading on Sunday, however, does Wulfstan specify any punishment. (The only occasion in which he even alludes to it is in VIII Æthelred 17, where those who trade on Sunday do so under threat of the "full secular fine" [*"fullan worldwite"*] presumably the standard one hundred twenty shillings for disobedience.)

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<sup>75</sup> II Cnut 24-24.3.

<sup>76</sup> Ine 25; Alfred 34; I Edward 1-1.5; II Æthelstan 9-10, 12; VI Æthelstan 10; IV Edgar 6-11.

This is very much in the style of Wulfstan, whose legislation tended to eschew specific punishments in favor of more hortatory language. In the lengthy code of Cnut, for instance, the one hundred twenty shilling fine is mentioned on nine occasions, and only three of these are wholly original to Wulfstan.<sup>77</sup> Given the archbishop's general neglect of the topic of commerce and his reluctance to provide penalties, we must consider the possibility that the addition of a fine for those who undercut the mandated minimum price of wool predates his involvement with Andover.<sup>78</sup>

### Analysis

Taken as a whole, what inferences can be drawn from this survey of the various Andover texts? We can begin with each version's place in the transmission of the code. Given that G1 is the only complete witness to Andover to have escaped Wulfstan's editorial activity, one might assume that it most faithfully represents Edgar's original code. The high number of poor readings and elementary errors it evinces, however,

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<sup>77</sup> 1) I Cnut 3.2, as compensation for violating the sanctuary of churches of medium rank, also found in VIII Æthelred 5.1—in both instances this amount is explicitly likened to the fine due for disobedience; 2) II Cnut 44, for refusing confession to a condemned man, already prohibited, although without a stipulated fine, in Wulfstan's *Peace of Edward and Guthrum* and 3) II Cnut 65, for failing to perform the three “common burdens” of building fortifications and bridges and military service, prescribed on four other occasions (exclusively in legislation attributed to Wulfstan) but only here with a penalty for noncompliance. Instances in which the fine is taken from earlier codes are 1) I Cnut 9.1, for failure to pay Peter's Pence, from Andover; 2) I Cnut 10.1, for failure to pay church dues on Martinmas, fixed at 60 shillings in Ine 4 and raised here and in VIII Æthelred 11, presumably to parallel the fine in the previous clause; 3) II Cnut 15.1, the penalty paid by unjust judges, from Andover; 4) II Cnut 15.2, a restatement of the general prohibition against disobedience to the king and his laws, first found in I Edward 2.1; 5) II Cnut 25.2, for any who refuse to ride to and confront those who refuse to attend local assemblies, from Andover and 6) II Cnut 33.2, for those who harbor men from the king's reeve, from I Æthelred 4.3.

<sup>78</sup> The *Quadripartitus* version of Andover stops where G1 does. The lack of a conclusion in T, a version which does not have the other Wulfstan interpolations, but which shows some additions to the text in G1, is particularly regrettable here.

prohibit us from being certain that that this is in fact the case; Wulfstan's apparent revisions may, at times, be nothing of the sort. The Talbot transcription, also lacking the more obvious of Wulfstan's emendations, might be assumed to constitute another witness to the original. While T is free from some of the more obvious mistakes in G1, we have seen that it also offers readings that differ from those found in G1 but are incorporated into the other manuscripts as well. This occasional agreement of T with the Wulfstan manuscripts against G1 complicates the neat textual tradition of an original code and a Wulfstanian recension. Instead, T would seem to represent an intermediate step along the way. If so, this would suggest that the Andover code (and perhaps, by extension, the other legislative texts of Anglo-Saxon England) were not frozen, static documents, but underwent a more or less constant process of editorial improvement and evolution. Wulfstan's changes were not unprecedented—instead, they were simply the most extensive alterations to a text that was in an ongoing state of flux.

Such flux is even evident within the Wulfstan manuscripts themselves. Of the three, A, which, as has been noted, bears annotations in Wulfstan's hand, has the fewest obvious blunders. When comparison with the incomplete text of G2 is possible, the two are in very close accord with one another. On the other hand, D—produced perhaps a generation later—appears to represent a step back. It contains several clear errors and omissions, and lacks the organizational rigidity which marks the other two, and A in particular. It would be easy to conclude that this manuscript, compiled outside the immediate supervision of Wulfstan, is indicative of a diminished regard for the stringent standards that he had instituted, but that cannot be the whole story. As has been noted,

there are several instances (e.g., II Edgar 3.1 and III Edgar 7.1) in which D's phrasing is that which was reproduced in other legislation of Wulfstan, suggesting that the archbishop continued to tinker with the language of the Andover code after the production of A and G2. Another variation that has been noted—the addition to III Edgar 7.3 of the phrase emphasizing the authority of the king to forgive a proved thief or a traitor—is more ambiguous; it may be from Wulfstan, or it may have been acquired at a later date. In either case, rather than serving as an example of failing standards, D might be better regarded as further evidence that the language of legislation continued to evolve.

Was this textual evolution guided, and if so, to what end? What was the purpose in continually updating a code, which was, by the time of Wulfstan, the product of a previous generation, and which had presumably been supplanted by subsequent legislation? One possible explanation has been alluded to several times in the foregoing examination of the text. We have repeatedly seen how both the content and the form of the code find parallels in the later legislation of Æthelred and that of Cnut, of which Wulfstan was the author. Regardless of whether Andover was revised to conform to this legislation or whether the rewritten code served as a model for that legislation, what can be said is that in instances in which clauses from Andover reappear in these later codes—and there are a great many, particularly in I and II Cnut—when the 'original' (as embodied

in G1) and ‘modified’ readings differ, these later codes invariably adhere more closely to the modified readings.<sup>79</sup>

Moving on to the more substantial additions, we have seen that most dealt with matters such as church dues, fasting, and sanctuary in which Wulfstan can be shown to have taken a keen interest, and which he clearly thought fit subjects for legislation. Unfortunately, not every change to Andover can be explained by appealing to later law codes; there is no other known instance in which the archbishop concerned himself with the penalties for those who undercut the mandated minimum price for wool, nor is the subject dealt with in any other surviving code. Thus, while a desire to bring Andover into line with later legislation may be a contributing factor, it cannot be the sole motive behind these interpolations.

Another way of exploring the purpose behind these modifications is focusing on the source. Is there something about Edgar, and this piece of legislation in particular, that attracted emendations? It was suggested earlier in this chapter that the legislation of Æthelstan and Edmund was also the object of Wulfstan’s editorial attentions. Neither of these codes, however, appears to have been revised as extensively as Andover. No doubt, accidents of survival cloud our picture, but there is no extant Anglo-Saxon legislation that displays as much variance between different manuscripts as does Andover.<sup>80</sup>

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<sup>79</sup> See Appendix E, p. 302, for the one *possible* exception, from III Edgar 3 and repeated only in the Nero A.1(A) version of II Cnut 15.1, but even this instance does not present a clear-cut case of the readings in G1 and T prevailing.

<sup>80</sup> The question of whether such variances could be *expected* to develop in other codes is set aside here. Wormald implies that he believes that they would. Thus, the general similarity between different versions of I and II Edward are signs that they are from “one closely related textual family” and that “a single branch of the tradition survived” (Wormald, *Making of English Law*

Nonetheless, Andover cannot be regarded as *sui generis* on this score. Insofar as its susceptibility to revision is concerned, the difference between it and other legal texts is one of degree, not of kind. Therefore, an inquiry into the specific reasons that such attention might have been paid to this code can yield some more broadly applicable insights about the intent of such changes.

It is clear that the modifications cannot solely be the product of a desire to correct perceived anachronisms in the text; I Æthelstan and I Edmund preceded Edgar's code, and Alfred's *Domboc*, the only legislation which has more extant witnesses than Andover, received no such treatment, and, promulgated some seventy years earlier, would have been even more out of date by the early eleventh century, yet it too escaped the modifications to which Andover was subjected. To argue that this is because Alfred's laws are not found in any of the manuscripts most closely associated with Wulfstan and his legacy is to beg the question. What was it about the Andover code that warranted inclusion in these manuscripts? It is hardly likely that the archbishop was completely unfamiliar with the *Domboc*; Wormald identifies well over a dozen borrowings from Alfred and the accompanying code of Ine in the later laws of Cnut, of which Wulfstan was the primary architect.<sup>81</sup>

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287) and, similarly, in the case of II Edmund, that the extant version "had a common ancestor (Ibid., 308-90). An apparent exception, I Æthelred, is explained away as "a rare case of a largely homogenous text with two or even three substantially independent transmissions. For that reason alone, the three texts may not be far from the archetype." (Ibid., 322.)

<sup>81</sup> Ibid., 356-360. Admittedly, none of these are direct quotations of the sort that have been observed with the Andover code. Nonetheless, Wormald's characterization of them as 'Modifications' as opposed to the more speculative category of 'Possible Influence' which he also employs, suggests that he regards the case for Wulfstan's reliance on Alfred as solid.

Despite Alfred's later reputation, the archbishop appears to have been readier to appeal to the memory of Edgar. In the 1014 code generally referred to as VIII Æthelred, for example, Wulfstan refers to Edgar on three separate instances. In chapter 7, he references the penalty established by Edgar for those who failed to render full tithes, and in particular plough-alms, before reproducing it in the following chapter: "And know every Christian man, that he properly grants his tithe to his Lord, always thus, the tenth acre the plough covers, for God's mercy and in conformity with the full penalty ordained by King Edgar."<sup>82</sup> There could be no better illustration of the convoluted relationship between these codes than this reference, purportedly to a law of Edgar's, which is actually, as we have seen, to an addition made by Wulfstan himself! The other two references to Edgar in this code offer clearer insights as to how Wulfstan wished Edgar, and his laws, to be regarded. Chapter 43 states "But let us do as is needful—let us take as our model what earlier secular authorities wisely decreed. Æthelstan, Eadmund and Eadgar, who was latest, how they honored God and held God's law and granted God's tribute, as long as they lived."<sup>83</sup> Here, Edgar shares a place with two of his predecessors—the same two whose laws Wulfstan also saw fit to expand upon on the subject of God's tribute—but in Chapter 37 he alone is memorialized. "But in the assemblies after Eadgar's lifetime, though prudently taking place in celebrated locales, Christ's laws have been

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<sup>82</sup> **VIII Æthelred 7:** "And wite Cristerna manna gehwilec þæt he his Drihtene his teopunge, a swa seo sulh þone teoðan æcer gega, rihtlice gelæste be Godes miltse 7 be þam fullan wite, þe Eadgar cynige gelagode."

<sup>83</sup> **VIII Æthelred 43:** "Ac uton don, swa us þeaf [presumably intended to be þearf] is uton niman us to bisan þæt ærran worldwitan to ræde geræddon Æþelstan 7 Eadmund 7 Eadgar þe nihst wæs hu hi God weorðodon 7 Godes lage heoldon 7 Godes gafel læstan þa hwile þe hi leofodon."

curtailed and the laws of the king abrogated.”<sup>84</sup> Taken together, these passages indicate that Edgar’s reign was seen as the end of a period of order, hardly a surprising viewpoint in the years around 1014, which witnessed the chaotic climax of the Scandinavian incursions. Equally relevant to our investigation is this last clause’s claims that the laws of Edgar were germane to the early eleventh century.

Similar statements about the importance of keeping “Edgar’s law” can be found in the legislation produced during Cnut’s reign. The first is in the introduction and initial clause of his code of 1018, which concisely sketches out the political events of the previous few years and the uneasy *modus vivendi* which then prevailed in the kingdom:

This is the agreement that the councilors decreed and devised in conformity with many good examples, and that took place as soon as King Cnut, with the advice of his councilors, fully concluded peace and friendship between the Danes and the English and settled all their earlier strife. It is therefore first that the councilors decree that over all things they would ever honor one God, and resolutely hold to one Christianity, and properly love King Cnut and faithfully and zealously follow Edgar’s laws.”<sup>85</sup>

The promulgation of this code is commemorated in a letter sent by Cnut, apparently while he was absent from Britain, to his English subjects. The only specific individual

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<sup>84</sup> **VIII Æthelred 37:** “Ac on þam gemotan þeah rædlice wurðan on namcuðan stowan æfter Eadgares lifdagum Cristes lage wanodan 7 cyninges laga litedon.”

<sup>85</sup> **1018 Cnut Introduction-1:** “Ðis is seo gerædnes þe witan geræddon 7 be manegum godum bisnum asmeadon. And þæt wæs geworden sona swa cnut cyngc mid his witenas geþeahhte frið 7 freondscipe betweox denum 7 englum fulllice gefæstnode 7 heora ærran saca ealle getwæmde. þonne is þæt ærest þæt witan geræddan þæt hi ofer ealle oðre þingc ænne god æfre wurðodon 7 ænne cristendom anrædlice healdan 7 cnut cyngc lufian mid rihtan 7 mid trywðan 7 eadgares lagan geornlice folgian.” Whitelock, “Wulfstan and the Laws of Cnut,” 433-52 and eadem, “Wulfstan’s Authorship of Cnut’s Laws,” 72-85, first identified the text from Cambridge, Corpus Christi College 201—elements of which Liebermann had divided and printed as variants of VI Æthelred and I-II Cnut with the siglum “D”—as a code issued by Cnut in 1018. Kennedy, 57-61, clarifies some of Whitelock’s earlier arguments.



identified is Earl Thorkell, Cnut's regent, and, based on his known period of activity, the letter has traditionally been dated to 1020.<sup>86</sup> After some preliminary material detailing Cnut's recent activities on behalf of his subjects as well as some general statements on the importance of preserving law and order, the letter reads "and I will that all the people, clergy and laity, fixedly hold to Edgar's law which all men have accepted and sworn to at Oxford."<sup>87</sup> The salient features of this meeting are mentioned yet again in a brief notice at the end of the entry for 1018 in the 'D' version of the *Anglo-Saxon Chronicle*, which reads "and the Danes and the English were agreed to observe Edgar's law at Oxford."<sup>88</sup> The text is ambiguous here, as it might also be translated as "and the Danes and the English were united in accord with Edgar's law at Oxford," but either way, the significance of Edgar's law—indeed its almost talismanic power to bring together two previously warring peoples—is evident.

A final, if less overt, appeal to Edgar, and to Andover in particular, can be found in the prologue to Cnut's great code. The direct reference to Edgar is gone, but, as Jay Gates has noted, the continuity to Edgar is maintained in the prologue's treatment of the very

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<sup>86</sup> Wormald, *Making of English Law*, 347-48, discusses the letter and evidence of Wulfstan's contributions to it. The letter survives only in York, Minster Library, MS Add, 1 (the "York Gospels") and is printed in Liebermann, 1:273-75.

<sup>87</sup> Liebermann, 1:274, "7 ic wylle þæt eal þeodscype gehadode 7 læwede fæstlice Eadgares lage healde þe ealle men habbað gecoren 7 to gesworen on Oxenaforda."

<sup>88</sup> *The Anglo-Saxon Chronicle. Vol. 6 MS D*, ed. Geoffrey Cubbin, *The Anglo-Saxon Chronicle: A Collaborative Edition*, eds. David Dumville and Simon Keynes (Cambridge: Brewer, 1996), s.a. 1018: "7 Dene 7 Engle wurdon sammæle æt Oxanaforda to Eadgares lage." The 'D' version is in London, British Library, Cotton Tiberius B.iv. This is the only authority for dating Cnut's first code to 1018. Kennedy, 58 n9, favors the first of these two possible interpretations.

nature and purpose of lawmaking.<sup>89</sup> In Andover, the opening of G1, T and A reads: “This is the agreement which King Edgar, with the advice of his councilors, has decreed, for the glory of God, and for the benefit of his own royal majesty and of all his people;” whereas the opening to Cnut’s code is “This is the agreement which King Cnut, with the advice of his councilors, has decreed, for the glory of God, and for the benefit of his own royal majesty.”<sup>90</sup> Here, Cnut is embracing Edgar’s notions that lawmaking is an explicitly kingly act, albeit one embarked upon with the consensus of the wise men of the kingdom, and that the very act of promulgating laws both honors God and redounds upon the majesty of the sovereign.

It seems clear that a full generation after his death, Edgar’s legacy, in part embodied in his laws, was employed to help grant legitimacy to a foreign conqueror, and as a source of strength for his English predecessor. This repeated explicit and direct appropriation of Edgar unavoidably leads to the conclusion that his memory was powerful, as were his laws. If this is so, it would be unsurprising that they were copied and recopied, but to be effective, they had to reflect contemporary notions of what law was. This is perhaps our best clue to understanding the apparent desire not just to

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<sup>89</sup> Gates, “*Ealles Englalandes Cyningc*.” Gates is inclined to give greater agency to Cnut in the authorship of the legislation that bears his name, particularly as his reign progressed. For our purposes, the specific identity of the composer is of less significance than his clear desire to appropriate the legacy of Edgar and his Andover code.

<sup>90</sup> **A:** “Ðis is seo gerædnes þe Eadgar cyng mid his witena geþeahte gerædde Gode to lofe 7 him sylfum to cynescype 7 eallum his leodscype to þearfe.” **I Cnut Prol.:** “Ðis is seo gerednes þe Cnut cyningc mid his witena geþeahte geredde Gode to lofe 7 hym sylfum to cynescipe 7 to þearfe.” This is from the version of Cnut’s code found in Harley 55 (B). The other extant vernacular version, from Cotton Nero A.i (A), inserts the phrase “king of all England and king of the Danes”—“ealles Englalandes cininge 7 Dena cining”—after “King Cnut.” As was noted earlier, the D version of Andover leaves out the final phrase “and of all his people”—“eallum his leodscype”—bringing it into exact agreement with Cnut’s code.

incorporate these laws into current legislation, but to keep the older code (suitably refurbished) in circulation as well.

### Conclusions

Unsurprisingly, given the scarcity of sources, the standardization of Anglo-Saxon legal texts has not been an object of historical inquiry. This provides a marked contrast to the study of the period's coinage, which, as we have seen, has tended to fix upon a single event—Edgar's reform—as the high water mark of efforts towards standardization. No such unique occurrence has a comparable position in the historiography of later Anglo-Saxon law. Instead, the picture is one of sporadic bursts of increased activity, such as that which led to the production of Alfred's *Domboc* at the end of the ninth century or the outburst of legislation associated with Wulfstan in the early eleventh, interspersed with periods of relative quiescence, the most obvious being the more than forty years between Cnut's great code and the conquest of 1066, from which no comprehensive edict survives. The foregoing analysis of the evolution of the Andover legislation complicates this picture, suggesting a change that was ongoing and incremental. While Wulfstan does represent a node of increased activity in the development of Andover, that development would appear both to precede him, as attested to in T, as well as postdate him, as we see in D.

The continued evolution represented by the D version of Andover raises questions. Does it demonstrate laxity—that texts outside the control of a strict editorial presence quickly accrue errors? Certainly there are some indications of this, but the further embellishments and changes it displays may also speak to the organic nature of standards and their multiple aspects. For instance, at the time it was produced, a concern with

consistent punctuation might have been subsidiary to establishing the king's prerogative to offer mercy even for those transgressions that had previously been considered unforgivable. There are many ways a book of laws can become standardized, but there is no obvious reason that a legal text must constantly be moving closer towards all of those standards at the same time, let alone at the same rate. We do see a remarkable degree of agreement in certain aspects of these manuscripts, and we can infer that these are the qualities that were of greatest consequence at the time. On other matters, such as orthography, copyists enjoyed more freedom. This need not be regarded as a failure or a breakdown. Instead, it is an indication of priorities and of which characteristics editors deemed important in legislation.

To explain the adaptations we have seen, particularly those that are not found in other legislation, it is hard to avoid the conclusion that editors such as Wulfstan possessed a clear sense of what a legal text should do and what it should look like, and that these changes, stylistic and substantive, were primarily designed to make an older code conform to this standard. Bringing the code up to standard served to revive it. In standardizing Andover—effectively retroactively rewriting the legislation of a previous generation—particular innovations, such as plough-alms, could be imbued with the legitimacy of the past, as could, potentially, the rule of a foreign conqueror. Standards for legal texts did not embody power in themselves, but they served as conduits through which figures such as Wulfstan and Cnut could exercise it.

Such an attitude implies a belief that not just law codes but the law itself is in a state of flux, always seeking better articulation. In this view, law cannot be about a frozen

moment in time, it must speak to the immediate present. Thus “Edgar’s law,” which in the early eleventh century is seen to represent a more harmonious past, can be appealed to in both a general sense and for support on particular matters, such as Friday fasting. In order to enable his law to best function in this manner, it must be made as accessible as possible; if it doesn’t explicitly speak to soulscot, then must be rectified.

In conclusion, those who write (and re-write) laws cannot be assumed to share the same priorities, nor will their priorities automatically be apparent, especially without careful attention to all aspects of the laws’ production and presentation. Further, it is apparent that standards they hold for these text are themselves not fixed, but instead are constantly evolving.

## CHAPTER THREE

### MONASTIC BEHAVIOR

The final chapter in this study is concerned with the regularization and standardization of monastic practice in Anglo-Saxon England. It takes a different approach than that followed in the preceding chapters. The standards pertaining to the kingdom's coinage and legal texts have largely had to be inferred from an examination of, respectively, coins and manuscripts. Standardization, in other words, had to be surmised mainly by an examination of the objects at which it was targeted. In the case of monastic practice, however, the target object is the behavior of the monk, both individually and collectively. As there are, obviously, no surviving communities of monks operating under the rules established in the later Anglo-Saxon period, the inferential method that has heretofore been employed is no longer an option. What we do have, however, uniquely for this time and place, are several texts that explicitly prescribe the standards that monks were expected to maintain, often in minute detail. What we do have, however, uniquely for this time and place, are several texts that explicitly prescribe the standards that monks were expected to maintain, often in minute detail. These records allow for insights into the process of the creation of standards and the anticipated means of their implementation. Of at least equal interest, they provide an opportunity to examine the rhetoric used both to justify and promote standardization. This collection of

texts is connected to a movement known to scholars today as the English Benedictine Reform.<sup>1</sup>

Until the middle of the twentieth century, reformers' claims about the decayed state of Anglo-Saxon monasticism prior to the ascendancy of King Edgar and his episcopal allies, Dunstan, Oswald and Æthelwold, have tended to be taken accepted on their face.<sup>2</sup> The cause of its decay from the proud heritage memorialized by Bede seemed little more problematic. The Viking invasions that had so disrupted the Anglo-Saxon kingdoms and episcopacy outside of Wessex were also considered culpable in the loss of monastic continuity, although some were willing to indict a powerful and avaricious laity as well.<sup>3</sup> Recently, however, both the reasons for decline and the chronology of reform have been subject to revision.

Through the eighth century, the large minsters that dominated the Anglo-Saxon ecclesiastic landscape allowed for both a pastoral and a contemplative life. It is now

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<sup>1</sup> The centers of reform, its intellectual foundations and its leaders have all come in for renewed scholarly attention in the last forty years. The collection of papers in Parsons, *Tenth-Century Studies*, is still of value as a broad survey of many issues touching upon the movement. More recently, see Julia Barrow, "The Chronology of the Tenth-Century English Benedictine 'Reform' in Edgar's reign," in Scragg, *Edgar, King of the English, 959-975*, 211-23; and eadem "The Ideology of the Tenth-Century English Benedictine 'Reform,'" in *Texts, Histories, Historiographies: The Medieval Worlds of Timothy Reuter*, ed. Patricia Skinner (Turnhout: Brepols, 2010), 141-54. Catherine Cubitt, "The Tenth-Century Benedictine Reform in England" *Early Medieval Europe* 6 (1997): 77-94 and Nicola Robertson, "The Benedictine Reform: Current and Future Scholarship" *Literature Compass* 3 (2006): 282-99, provide review essays that summarize recent work. See also the Introduction, 56-57, for some assessments of the reform in the eleventh century and its overall impact on the English church.

<sup>2</sup> David Knowles, *The Monastic Order in England* 2<sup>nd</sup> ed. (Cambridge: University Press, 1963), 31-56; Stenton, *Anglo-Saxon England*, 433-69; and Thomas Symons, ed. and trans. *Regularis Concordia: The Monastic Agreement of the Monks and Nuns of the English Nation* (London: Nelson, 1953): ix-xxviii, all embody this approach.

<sup>3</sup> John, *Orbis Britanniae*, 154-80.

recognized that over time a growth in episcopal power and a straitening of financial resources—caused in part, to be sure, by Scandinavian incursions—crowded out the contemplative function of these centers.<sup>4</sup>

A main contention of the preceding two chapters was that the ongoing nature of standardization served to remove the focus on particular events, reigns and tenures. One might expect this argument to recur in this discussion of monastic reform in the tenth century, but current scholarship has anticipated it. Instead of concentrating on specific moments that are thought to mark the onset of reform, such as the eviction of clerks from Winchester minsters or Dunstan's assumption of the abbacy of Glastonbury, a longer view has been put forth, one that recognizes a mutually beneficial relationship between kings and monks throughout much of the tenth century.<sup>5</sup> David Dumville has claimed that this royal support of monasticism has Alfredian antecedents, and that it marks an ongoing policy designed to produce learned candidates for episcopal office.<sup>6</sup> The ways in which this alliance manifests is one of the key themes of this chapter.

Foremost among the texts of the Benedictine Reform is the consuetudinary known to modern scholars as the *Regularis Concordia* (henceforth *RC*), produced sometime around

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<sup>4</sup> Blair, *Church in Anglo-Saxon Society*, 292-329; and Julia Barrow, "Survival and Mutation: Ecclesiastical Institutions in the Danelaw in the Ninth and Tenth Centuries" in *Cultures in Contact: Scandinavian Settlement in England in the Ninth and Tenth Centuries*, eds. Dawn M. Hadley and Julian D. Richards (Turnhout: Brepols, 2000), 155-76.

<sup>5</sup> Fleming, "Monastic Lands and England's Defence," 247-65 for the period after 930; John, *Orbis Britanniae*, 162, from the reign of Æthelstan.

<sup>6</sup> David Dumville, *Wessex and England from Alfred to Edgar* (Woodbridge, Suffolk: Boydell, 1992), 155-56, 166-67, 175-79 and 185-205.



the year 970. The *RC* is the central document of this chapter.<sup>7</sup> Additionally, this chapter examines texts contemporary with the *RC* that share its interest in monastic reform. The chapter concludes with a selection of documents produced in the decades, and even the centuries, after the *RC* that shed light on the continuing evolution of monastic standards and the ways in which the reforming efforts that created the *RC* were memorialized.

The common thread running through these records is their connection—directly or indirectly—to Æthelwold, bishop of Winchester.<sup>8</sup> Æthelwold is the primary author of the *RC*, but he is also the composer or the subject (and, at times, arguably both) of the other works considered here. Taken as a whole, they suggest a desire on his part for standards that encompassed a far broader range than the topics addressed in the *RC*, standards that covered nearly every facet of the monastic life, and, perhaps, extended to those outside the cloister. For the purposes of this study, however, the particular issues with which Æthelwold concerned himself, while of interest in their own right, are of less import than what we can discern of his methods. The primary intent of this chapter, then, is to inquire into the means by which Æthelwold created standards and endeavored to introduce them into communities throughout the kingdom, and the degree to which these means were consonant with the techniques of standardization that have been described in the

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<sup>7</sup> Symons, *Regularis Concordia*; and *Regularis Concordia Anglicae Nationis*, ed. Thomas Symons and Sigrid Spath, in *Consuetudinum Saeculi X/XI/XII Monumenta Non-Cluniacensia*, ed. K Hallinger, *Corpus Consuetudinum Monasticarum* 7.3 (Siegburg: F. Schmitt, 1984), 60-147. Lucia Kornexl, ed., *Die Regularis Concordia und Ihre Altenglische Interlinearversion*, *Texte und Untersuchungen zur englischen Philologie* 17 (Munich: Fink, 1993), clxvi, n.60; and Mechthild Gretsch, *The Intellectual Foundations of the English Benedictine Reform* (Cambridge: University Press, 1999), 15, n.30, critique the *CCM* edition. Except where indicated otherwise, all quotations are from the *CCM* edition and chapter headings are according to the arrangement used therein.

<sup>8</sup> The papers in Yorke, *Bishop Æthelwold*; and Michael Lapidge's introduction to Wulfstan of Winchester, *The Life of St. Æthelwold*, provide an overview of Æthelwoldian scholarship.

Introduction. Thus this survey is not a comprehensive review of standardization in the Anglo-Saxon Benedictine Reform; neither the efforts of Æthelwold's archiepiscopal contemporaries, Dunstan and Oswald, nor those of his king, Edgar, come into consideration, except insofar as they touch upon his work. Instead, by restricting our inquiry to the activities and legacy of a single individual, we can hope to develop a coherent impression of that individual's approach to standardization.

Just as agreement on standards for weights and measures is a necessary predicate to any attempt to institute physical standards, so too is agreement on words essential for the production of written standards. Æthelwold has been associated with such an agreement, and thus a brief discussion of the "Winchester Vocabulary" is called for, although a thorough treatment of it falls outside the scope of this study. Since the late nineteenth century, scholars have noted a tendency on the part of Æthelwold and some of his Winchester alumni to prefer certain Old English words over plausible synonyms in composition and in Latin translations.<sup>9</sup> The number of subjects embraced by this vocabulary was limited and specialized: "Winchester words are, as a rule, employed to

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<sup>9</sup> Walter Hofstetter, *Winchester und der Späلتenglische Spranggebrauch: Untersuchungen zur Geographischen und Zeitlichen Verarbeitung Altenglischer Synonyme*, Texte und Untersuchungen zur englischen Philologie 14 (Munich: Fink, 1987) and idem, "Winchester and the Standardization of Old English Vocabulary" *Anglo-Saxon England* 17 (1988): 139-61, is the starting point for recent research. See also Helmut Gneuss, "Liturgical Books and their Old English Terminology," in *Learning and Literature in Anglo-Saxon England: Studies Presented to Peter Clemoes on the Occasion of his Sixty-Fifth Birthday*, eds. Helmut Gneuss and Michael Lapidge (Cambridge: University Press, 1985), 91-141; Mechthild Gretsch "The Benedictine Rule in Old English: A Document of Bishop Æthelwold's Reform Politics," in *Words, Texts and Manuscripts: Studies in Anglo-Saxon Culture Presented to Helmut Gneuss on the Occasion of his Sixty-Fifth Birthday*, ed. Michael Korhammer, (Woodbridge: Brewer, 1992), 131-58; eadem, *The Intellectual Foundations*; eadem, "Winchester Vocabulary and Standard Old English: The Vernacular in Late Anglo-Saxon England," *Bulletin of the John Rylands University Library at Manchester* 83 (2001): 41-87; and Kornexl's introduction to *Die Regularis Concordia*.

render key concepts of the Christian religion.”<sup>10</sup> The Winchester Vocabulary can thus be considered a technical language, making use of a handful of agreed-upon terms in order to ease communication among its initiates. The potential value of such a language to regulate behavior for a large number of people over great distances is obvious.<sup>11</sup>

It has recently been argued that two of the translations that display the characteristics of the Winchester Vocabulary date from well before Æthelwold’s sojourn there.<sup>12</sup> The

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<sup>10</sup> Mechthild Gretsch, “Ælfric, Language and Winchester,” in *A Companion to Ælfric* eds. Hugh Magennis and Mary Swann (Leiden: Brill, 2009), 125.

<sup>11</sup> Any discussion of the Winchester Vocabulary will almost inevitably touch upon the development of “Standard Old English,” not least because of the overlap in scholars associated with each. Additionally, as with the Winchester Vocabulary, the current understanding of Standard Old English sees its source in the circle of Æthelwold and the Old Minster in the 960s-970s. Linguistic standardization is a process that differs substantially from standardization as it has been outlined in the Introduction of this study. Nevertheless, it seems preferable to at least acknowledge Standard Old English, if only in the most cursory of fashions, than to risk the apparent anomaly of a study of standardization in Anglo-Saxon England not addressing “Standard” Old English. Briefly, Standard Old English is associated with dialectal standardization. C.L. Wrenn, “Standard Old English,” *Transactions of the Philological Society* 32 (1933): 65-88, was the first to posit a Winchester connection to attempts to regularize dialect in Anglo-Saxon England. Helmut Gneuss, “The Origin of Standard Old English and Æthelwold’s School at Winchester” *Anglo-Saxon England* 1 (1972): 63-83, refined Wrenn’s work, and is still fundamental to the topic. Gretsch, *Intellectual Foundations*, 324, defines Standard Old English as “the deliberate and vigorous propagation of the West Saxon dialect (in a regularized form) as a literary standard all over England.” Thus, it differs from the Winchester Vocabulary, in that the latter’s focus was on lexical agreement rather than orthographic, and its aims were much more limited. Richard Hogg, “Old English Dialectology” in *The Handbook of the History of English*, eds. Ans van Kemenade and Bettelou Los (Oxford: Blackwell, 2009), 399-401, is representative of arguments that Standard Old English never achieves the status of a ‘standard’ language. See also Mechthild Gretsch “In Search of Standard Old English,” in *Bookmarks from the Past. Studies in Early English Language and Literature in Honour of Helmut Gneuss*, eds. Lucia Kornexl and Ursula Lenker (Frankfurt, 2003), 33-67 and Lucia Kornexl, “Standardization” in *Historical Linguistics of English, Vol 1*, eds. Alexander Bergs and Laurel Brinton, *Handbooks of Linguistics and Communication Science* (Berlin: De Gruyter, 2008), 373-84, for accessible overviews of current research on the subject.

<sup>12</sup> Gretsch, *The Intellectual Foundations*, 235-60; and Michael D.C. Drout, “Redating the Old English Translation of the Rule of Chrodegang: The Evidence of the Prose Style” *The Journal of English and Germanic Philology* 103:3 (July 2004): 341-368. Both authors suggest a translation in the late 940s or early 950s.

case for this earlier dating relies heavily on the fact that neither of these works employs the preferred words of this vocabulary as frequently as do others that can be more certainly tied to Winchester. The implication is that the development of the Winchester Vocabulary, much like any other set of standards, was an ongoing process. The nature of the texts themselves has similar implications for the timeline of reform. One of them was Chrodegang of Metz's *Regula Canicorum*. The other was Benedict's *Rule*.

### **The Old English Translation of Benedict's *Rule* and its Prologue**

Fundamental to any attempt to institute a standardized form of Benedictinism throughout the kingdom was the dissemination of St. Benedict's *Rule* (henceforth *Rule*) itself.<sup>13</sup> Making the *Rule* accessible to the broadest possible audience required the production of a vernacular version. Evidence of Æthelwold's connection to this translation can be found in the twelfth-century *Liber Eliensis*, which itself incorporates an older record, the *Libellus quorundam insignium operum beati Æthelwoldi episcopi*, (*Libellus Æthelwoldi*). Ely was one of the houses Æthelwold refounded, and the *Libellus Æthelwoldi*, which is primarily a record of the bishop's purported attempts to secure various estates for the monastery, claims that King Edgar and Ælfthryth gave title and

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<sup>13</sup> Citations of the *Rule* are according to the text and divisions in Rudolph Hanslik, ed., *Benedicti Regula*, 2<sup>nd</sup> edition, Corpus Scriptorum Ecclesiasticorum Latinorum 75 (Vienna: Hoelder, Pichler, Tempsky, 1977). Ludwig Traube, *Texgeschichte der Regula S. Benedicti*, 2<sup>nd</sup> edition, ed. H. Plenkens, Abhandlungen der Königlich Bayerischen Akademie der Wissenschaften, Philosophische-Philologische und Historische Klasse 25.2 (Munich, 1910) is still fundamental on the early history of the *Rule*. Paul Meyvaert, "Towards a History of the Textual Transmission of the *Regula S. Benedicti*" *Scriptorium* 17 (1963): 83-110, summarizes past work, modifying Traube in some respects and critiquing Hanslik's first (1960) edition.

possession of the manor of Sudbourne to Æthelwold in exchange for his translating the *Rule*, and that Æthelwold subsequently endowed Ely with the manor and its charter.<sup>14</sup>

Textual analysis has long since independently confirmed Æthelwold as the translator.<sup>15</sup> A detailed review of his translation is well beyond the scope of this study, although something of Æthelwold's methods can perhaps be gleaned from the accuracy and clarity that typify the translation and the earlier commentators upon whom he drew, specifically Smaragdus's *Expositio in Regulam S. Benedicti*, and, to a lesser extent, Isidore's *De ecclesiasticis officiis* on the few occasions on which he modified or elaborated Benedict's work.<sup>16</sup>

There are two groups who could have been intended beneficiaries of this translation: regulars whose Latinity was inadequate to carry out the *opus dei* without assistance and

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<sup>14</sup> *Liber Eliensis*, ed. Ernest Oscar Blake (London: Butler and Tanner, 1962), 111, "Ædgarus rex et Alfreð dederunt sancto Æðelwoldo manerium, quod dicitur Suðburn, et cyrographum quod pertinebat, quod comes qui dicebatur Scule, dudum possederat, eo pacto ut ille regulam sancti Benedicti in Anglicum idioma de Latino transferret. Qui sic fecit. Deinde vero beatus Æðelwoldus dedit eandem terram sancte Æðeldreðe cum cyrographo eiusdem terre." For more on Ælfthryth, Edgar's second wife, see p. 191n31. Ibid., ix-xii, discusses the *Libellus Æthelwoldi* and S. Keynes and A. Kennedy, *Anglo-Saxon Ely: Records of Ely Abbey and its Benefactors in the Tenth and Eleventh Centuries* (Woodbridge: forthcoming), will include an edition.

<sup>15</sup> *Die angelsächsischen Prosabearbeitungen der Benediktinerregel*, ed. Arnold Schröer, 2 vols. (Kassel: Wigand, 1885-88); Helmut Gneuss, "Die Benediktinerregel in England und ihre altenglische Übersetzung," in *Die angelsächsischen Prosabearbeitungen der Benediktinerregel*, ed. Arnold Schröer, 2<sup>nd</sup> edn. (Darmstadt: Wissenschaftliche Buchgesellschaft, 1964), 263-84.

<sup>16</sup> Mechthild Gretsch, *Die Regula Sancti Benedicti in England und ihre altenglische Übersetzung* (Munich: Wilhelm Fink, 1973); and eadem, "Æthelwold's Translation of the *Regula Sancti Benedicti* and its Latin Exemplar," *Anglo-Saxon England*, 3 (1974): 143-48, finds little to fault in Æthelwold's grasp of the original Latin and determines that he strove for clarity over style in his Old English. Although Æthelwold makes no reference to it, he was undoubtedly familiar with the program of vernacular translation initiated at the end of the ninth century under King Alfred. Eadem, *The Intellectual Foundations*, 82-84, 332-49 and 410-22, suggests that Æthelwold would have first become familiar with the work of the Alfredian circle during his formative years at the court of Æthelstan, where the scholarship of, Alfred, the king's grandfather, was held in high regard.

laypersons who might wish to make use of the *Rule* for private devotion. Some evidence that Æthelwold had the former group in mind may be derived from his apparent creation of two recensions, one for monks and one for nuns.<sup>17</sup> He appears to have intended his translation as a teaching tool, as he appended a Latin *Rule* that could be integrated with the Old English one, and, in at least some instances, he altered the Latin original to more closely accord with modifications he had made for female religious.<sup>18</sup> Such industry depicts a comprehensive effort to institute a common form of the *Rule* throughout kingdom. In this, he may have been successful. There are eight extant complete or fragmentary Old English copies, and all of them are derived from his translation.

More pertinent to our purposes is what exactly Æthelwold hoped to accomplish by this translation. Fortunately, a rather forthright statement in which Æthelwold himself supplies his justification for undertaking the translation can be found in a short text that has come to be known as “King Edgar’s Establishment of Monasteries” (henceforth *EEoM*). This work survives in a single twelfth-century manuscript, in which it immediately follows a copy of Æthelwold’s translation of the *Rule*.<sup>19</sup> The text is

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<sup>17</sup> Gretsch, “The Benedictine Rule in Old English,” 142-56.

<sup>18</sup> Ibid., 151-53. The changes in question are to chs. 60 and 62 of the *Rule*. No such changes were made for monks. Gretsch, *The Intellectual Foundations*, 238-40, suggests that Æthelwold may have employed a translation of the *Rule* when teaching the young Edgar. Six of the eight mss. that contain Æthelwold’s translation also hold the *Rule* in Latin. In most of these (e.g., London, British Library, Cotton Titus A.iv and Oxford, Corpus Christi College, 197) the Old English follows the Latin chapter by chapter. Loredana Lazzari, “The Scholarly Achievements of Æthelwold and his Circle” in *Form and Content of Instruction in Anglo-Saxon England in the Light of Contemporary Manuscript Evidence*, eds. Patrizia Lendinara, Loredana Lazzari and Maria Amalia D’Aronco (Turnhout: Brepols, 2007), 310-47, treats the broader question of Latin instruction under Æthelwold and his successors.

<sup>19</sup> The ms. is London, British Library, Cotton Faustina A. x, and the text is on ff. 148r-151v. See Ker, *Catalogue*, no. 154, for the dating.

acephalous, with four blank lines before it begins mid-sentence. It is also missing either one or three folios immediately following the first. *EEoM* has been attributed to Æthelwold since it was first printed, and subsequent scholars have largely confirmed this judgment.<sup>20</sup> It is in part given over to an account of Edgar's commissioning of a translation of the *Rule* as well as a discussion of the purposes of that translation. Taken with its proximity to a copy of the translated *Rule*, the implication is that *EEoM* was originally intended as a preface to it (the text at one point mentions “*this* English translation”) especially when, as will be seen, there is testimony that some copies did circulate with a preface.<sup>21</sup>

*EEoM* opens with an account of Gregory's mission to the English. It paints a rather idyllic picture, with Gregory “eagerly advising and instructing his deputy through messengers that he zealously build monasteries for the love and honor of Christ.”<sup>22</sup> The overall narrative is clearly taken from Bede, but the instruction to erect monasteries, absent from Bede, is an interpolation of Æthelwold's.<sup>23</sup> Having depicted a vision of

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<sup>20</sup> *Leechdoms, Wortcunning and Starcraft of Early England*, ed. Oswald Cockayne, 3 vols. (London: Longman, 1864-66), 3:432-44, printed as one of a group of historical “hitherto unedited fragments,” *ibid.*, 3:401. Dorothy Whitelock, “The Authorship of the Account of King Edgar's Establishment of Monasteries,” in *Philological Essays: Studies in Old and Middle English Language and Literature in Honour of Herbert Dean Merrit*, ed. J.L. Rosier (The Hague: Mouton, 1970), 125-36, reviews the case for Æthelwold as author.

<sup>21</sup> “King Edgar's Establishment of the Monasteries,” in *Councils & Synods with Other Documents Relating to the English Church: Vol. I (871-1204)*, eds. and trans. D. Whitelock and C.N.L. Brooke (Oxford: Clarendon, 1981), 142-54, “*þisse englisca geþeodnesse*,” emphasis added.

<sup>22</sup> *EEoM*, 144-45, “georne þone his geseþelian þurh æredraþan manode 7 lærde þæt he georne mynstra timbryde Criste to lofe 7 weorþunge.”

<sup>23</sup> Bede, *Ecclesiastical History*, 1:27. Gregory's citation of Acts 4.32, that all should hold their possessions in common, as in the days of the early church, is also expanded in this text from the version found in Bede.

tranquility and prosperity in the English monasteries, embodying the Golden Age that was the pre-Viking English Church, the text breaks off with a “but....,” It can be assumed that what followed was the dispersal of the monasteries and their decline under the combined pressure of foreign invaders, avaricious laity and, the collapse of monastic discipline.

The text resumes in the midst of a glowing description of a young Edgar at a time when he was not yet king. It then marks the death of Edgar’s elder brother, King Eadwig (955-59), with some deprecatory comments on his character, noting that he “through the ignorance of his childhood dispersed this kingdom and divided its unity, and distributed the lands of holy churches to predatory strangers.”<sup>24</sup> Edgar, on the other hand, “through God’s grace, gained all the dominion of England and brought back to unity the partition of the kingdom.”<sup>25</sup> By this contrast, Æthelwold highlights two of his primary concerns, the preservation of unity and the defense of church property. One of Edgar’s first acts is to fulfill a promise of his childhood and visit the monastery of Abingdon and its (unnamed) abbot, liberally endowing it. The abbot, presumably, is Æthelwold himself, but his name appears nowhere in *EEoM*. While the extant text makes no mention of Edgar’s original promise, William of Malmesbury, in his *Vita sancti Dunstani archiepiscopi*, tells how, “as I have read in the prologue from the pen of one who explained the *Rule* of Benedict in English,” Edgar came across the decayed remnants of

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<sup>24</sup> 146, “se þurh his cildhades nyteness þis rice tostencte 7 his annesse todælde, 7 eac swa halegra cyricena land incūpum reaferum todælde.”

<sup>25</sup> Ibid., “þurh Godes gyfe ealne Angelcynnes anweald beget 7 þæs rices twislunge eft to annesse brohte.”



some formerly majestic buildings.<sup>26</sup> Upon learning that it had once been a splendid monastery, he vowed “that if he should ever be king, he would raise this place, and others, to their original state.”<sup>27</sup> Assuming this prologue to have been *EEoM*, the youthful Edgar’s promise must have been recorded on the lost folios.

*EEoM* paints a bleak picture of the challenge facing Edgar. Before his actions “there were very few monks in a few places in such a great kingdom who lived by the right *Rule*. That was in not more than one place, which is called Glastonbury, where his father, King Edmund, first established monks. From that place the aforementioned abbot was brought and ordained to the aforesaid monastery [Abingdon] that King Edgar established.”<sup>28</sup> This was just the beginning for Edgar, who, after setting his own life aright, “began zealously to set aright monasteries throughout his kingdom.”<sup>29</sup> This process is described in greater detail in the following passage:

He cleansed holy places from all men’s foulness, not only in the kingdom of the West Saxons, but also in the land of the Mericans. Truly, he drove out canons who abounded to overflowing with the aforementioned sins and he established monks in the foremost places of all his dominions for

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<sup>26</sup> William of Malmesbury, “Vita Dunstani,” in idem, *Saints’ Lives*, eds. and trans. Michael Winterbottom and Rodney M. Thomson (Oxford: Clarendon, 2002), 239, “ut in cuiusdam prologo legi qui regulam Benedicti Anglico enucleabat stilo.”

<sup>27</sup> Ibid., “ut si umquam regnaret et istud et alia in statum pristimum excitaret..”

<sup>28</sup> *EEoM*, 148-49, “lyt m[u]neca wæs on feawum stowum on swa miclum rice þe be rihtum regule lifdon. Neþ þæt na fealdre þonne on are stowe, seo is Glæstingbyrig gehaten, ðær his fæder Eadmund cynicg munecas ærest gestapolode. Of þære stowe wæs se foresprecena abbud genumen 7 gehadod to þæm foresæden mynstre þe Eadgar cyning gestapolode.”

<sup>29</sup> Ibid., “began georne mynstera wide geond his cynerice to rihtlæcynne.”

the noble service of Christ the Savior. In some places also he established nuns and committed them to Ælfthryth, his consort.<sup>30</sup>

Some notable points can be drawn from this passage. First, it is again emphasized that Edgar's actions transcended the traditional bounds of the West Saxon dynasty; the reform that he initiated was meant to encompass all of England, and Edgar's power as well as the realm's cohesiveness were both strengthened as a result. Second, the wicked canons and clerks, who will be a recurring theme for Æthelwold, make their first appearance. Edgar's role in routing them is critical—Æthelwold and his fellow abbots and bishops can set standards for reform, but they need to rely on the power of the king to prepare the ground for them. Finally, the parallelism of monks protected by the king and nuns protected by his wife demonstrates the same inclusivity that led Æthelwold to create dual versions of his translation of the *Rule*.<sup>31</sup>

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<sup>30</sup> Ibid., 149-50, "Halige stowa he geclænsode fram ealra manna fulnessum, no þæt an on Wessexna rice, ac eacswylce on Myrcena lande. Witodlice he adref [cano]nicas þe on þæm foresædum gyltum ofer[fle]de genihtsumedon, 7 on þam fyrmestum stowum [e]alles his andwealdes munecas gestapolode to weorþfulre þenunge Hælendes Cristes. An sumum stowun eacswilce he mynecæna gestapolode and þa Æ[l]fþryþe his gebeddan betehte." There is no catalog of "aforementioned sins" earlier in the text; it may have been in the portion that is now lost.

<sup>31</sup> Ælfthryth's position was less than secure during much of Edgar's reign, not least because Edgar had a son through an earlier marriage. Although the *RC* speaks of prayers for the King and Queen, Ælfthryth is never styled as such in the Winchester works relating to reform. Nonetheless, Æthelwold was, by all appearances, a firm ally of hers; she is always cast in a positive light in these documents, he seems to have been instrumental in finally securing her coronation as queen during Edgar's second coronation at Bath in 973, and he remained a supporter of hers during the reign of her stepson, Edward Martyr (975-78). Pauline Stafford, "The King's Wife in Wessex, 800-1066" *Past and Present* 91 (May, 1981): 3-27; Barbara Yorke, "Æthelwold and the Politics of the Tenth Century" in eadem, *Bishop Æthelwold*, 81-84; and Gretsch, "The Benedictine Rule in Old English," 143-46, all discuss the relationship between Æthelwold and Ælfthryth at greater length.

The text then indicates that Edgar became interested in the *Rule* and what it might have to teach him about conducting a well-lived, prudent life. “Through a desire for this wisdom, he ordered this *Rule* be translated from the Latin language to English.”<sup>32</sup> It is conceded that the “sharp-minded wise” would have no need of such a translation, but that it would benefit the “unlearned worldly men who, from terror of hell-torment and for Christ’s love forsake this miserable life and turn to the Lord and elect the holy service of this *Rule*”—that is to say, novices.<sup>33</sup> The author, speaking in the first person for the first time in the text, deems such a translation fully reasonable, arguing that since the language in which a man is brought to the faith is of little import, “the unlearned natives therefore might have knowledge of this holy *Rule* through the explication of their own language.”<sup>34</sup> In accord with the manuscript evidence of separate recensions for monks and nuns, Æthelwold seems primarily to have intended his translation for those entering the cloister, although its potential value as an aid to the private devotions of some among the laity, such as Edgar, cannot be completely discounted.

*EEoM* closes with several warnings against the alienation of church lands and property. Still speaking in the first person, the author urges his successors to increase the observance of the *Rule* and to avoid any diminishment of God’s possessions, whether through the devil’s urging or their own cupidity. He then makes a link between these two

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<sup>32</sup> Ibid., 151, “purh þises wisdomes lust he het þisne regul of læden gereorde on englisc geþeodan.”

<sup>33</sup> Ibid., “scearpþanclan witan;” “ungelæredum woroldmonnum þe for helle wites ogan 7 for Cristes lufan þis earmfulle lif forlætþ 7 to hyra Drihtne gecyrrað 7 þone halgan þeowdom þises regules geceosaþ.”

<sup>34</sup> Ibid., 152, “[h]æbben forþi þa ungelæreden inlendisce þæs halgan regules cyþþe purh agenes gerordes anwrigenesse.”

points: “As I think the devout observance of this holy *Rule* was diminished through the robbery of evil men and through the permission of the kings who had little fear of God.”<sup>35</sup> Next, abbesses are singled out and reminded not to distribute the estates under their control to their kin or other secular magnates. Finally, the point is made that if any of those who have been set as shepherds for God be guilty of a crime, whether religious or worldly, there is no cause for a king or powerful lord to see in it an opportunity to seize God’s possessions. After all, the text asks, if a king’s reeve commits a crime, who would think that this gives him the right to seize the king’s property? Church property was, by definition, God’s property, and God, who could commit no crime, should never be liable to forfeiture of property or goods. The author concludes with the fervent hope that none of his successors will fail on this score.

The main elements with which *EEoM* is concerned are of a piece with those that will be seen in the Winchester charters and the *RC*, suggesting they were all produced in the same period.<sup>36</sup> A powerful king as patron, widespread knowledge of and adherence to the *Rule* and due respect for ecclesial property were all necessary if the English Church was to reverse its decline and return to the golden age described by Bede. The next set of texts shows how these issues were addressed for individual houses.

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<sup>35</sup> Ibid., 152-53, “Pæs þe ic wene, sio æfæstnes þæs halgan regules on ærum tidum gewanod wearþ þurh reaflac yfelra manna, 7 þurh gefafunge þara cynenga þe to God lytelne ege hæfdon.”

<sup>36</sup> Ælfthryth’s marriage to Edgar provides a *terminus post quem* of 964 for *EEoM*, and, given that she is not called “queen,” the text likely predates 973. Gretsch, “The Benedictine Rule in Old English,” 148-51, finds indications that *EEoM* predates *RC* by a few years, and considers a date in the mid to late 960s most likely for the former’s production. As for the translation of the *Rule* itself, Gneuss, “Benediktenerregal,” 272-73, suggests c.970, while Gretsch, *Intellectual Foundations*, 235-60, prefers a date in 940s or early 950s, arguing that Æthelwold anticipated the needs of projected new foundations as far back as his tenure at Glastonbury.

### The Winchester Charters

The first foundations to which Æthelwold directed his attention upon his elevation to the see of Winchester were the monasteries within that town: the cathedral chapter, known as the Old Minster, and the New Minster, founded at the beginning of the tenth century. The following charters relate to the Benedictinization of these houses in the first years of Æthelwold's episcopacy.

#### New Minster

In the New Minster refoundation charter, Anglo-Saxonists are fortunate to still have the original, a luxurious production written in gold ink and preserved as a codex.<sup>37</sup> The case for Æthelwold's authorship, based on stylistic and lexical similarities with his other works, has been made on several occasions.<sup>38</sup> The charter's elaborate nature has led to speculation that it may have been kept on the altar of the abbey church for display, and within its pages it stipulates that it is to be read aloud to the monks on a regular basis.<sup>39</sup> In

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<sup>37</sup> The ms. is London, British Library, Cotton Vespasian A. viii. Only the first 33 folios of the ms. are part of the charter—the remaining 10 are cartulary material added in later centuries. See Alexander R. Rumble, *Property and Piety in Early Medieval Winchester: Documents Relating to the Topography of the Anglo-Saxon and Norman City and its Minsters* (Oxford: Clarendon, 2002), 65-73, for a description and *ibid.*, 74-97, for a full edition.

<sup>38</sup> Francis Wormald, "Late Anglo-Saxon Art: Some Questions and Suggestions" in *Acts of the 20<sup>th</sup> International Congress of the History of Art, New York: Vol. 1, Romanesque and Gothic Art*, ed. M. Meiss, (Princeton, University Press, 1961), 23-26; Whitelock "Authorship of the Account," 30-31; Michael Lapidge, "Æthelwold as Scholar and Teacher," in Yorke, *Bishop Æthelwold*, 95-98. Rumble, *Property and Piety*, 94, claims the unusual and ornate style of Æthelwold's attestation: "I Æthelwold, bishop of the church of Winchester, blessed the benevolence of the most glorious king with the sign of the cross, commending to him the noble abbot [Æthelgar, see below, p. 237] and the charges whom I, in my mediocrity, educated." ("Ego Aðelwold aeclesiae Wintoniensis episcopus regis gloriosissimi beniuolentiam abbatem mea altum mediocritate et alumnos quos educaui illi commendans crucis signaculo benedixi") also points to his authorship.

<sup>39</sup> Francis Wormald, "Late Anglo-Saxon Art," 24-25. The final extant chapter heading reads "QUOTIES ET QUARE IN ANNI CIRCULO HOC FRATRIBUS LEGATUR PRIUILEGIUM."

keeping with this stipulation, the text contains not only a royal confirmation of the monastery's privileges, but also many of the elements of a consuetudinary. The charter bears the date 966. We have, as has been noted, a specific date for the expulsion of the canons from the Old Minster, February 19, 964. Their removal from the New Minster appears to have taken place shortly thereafter.<sup>40</sup> The creation and presentation of the charter, then, can be seen as the confirmation and solemnization of an event that had taken place a couple of years earlier. In addition to Edgar himself, the impressive roster of witnesses comprises his two sons, his wife and grandmother, the archbishops of Canterbury and York, ten bishops (among whom Æthelwold is listed first), five abbots, and fourteen laymen—four of whom are styled “*dux*,” two “*comes*,” and six “*miles*.”

The outstanding feature of the manuscript is the full page illuminated miniature found on 2v that features a genuflecting King Edgar in the lower register, bracketed by the Virgin Mary and St. Peter, the patrons of the New Minster, offering up a codex—presumably the charter itself—to Christ, who is in the upper register, seated within a

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Unfortunately, the chapter itself, along with any further material preceding the dating clause and subscription of witness, has been lost. Rumble, *Property and Piety*, 69, suggests that a total of four folios are missing. All chapter headings are in uncial, and all but the last (no. 22) are numbered.

<sup>40</sup> *The Anglo-Saxon Chronicle. Vol. 3 MS A* ed. Janet Bately, *The Anglo-Saxon Chronicle: A Collaborative Edition*, eds. David Dumville and Simon Keynes (Cambridge: Brewer, 1986), *s.a.* 964, in the same notice as other expulsions, including the Old Minster. The chronicler ascribes this action solely to Edgar, although Æthelwold's involvement might be inferred from the 963 entry, which notices his elevation to the see at Winchester. Ker, *Catalogue*, 59, dates the hand responsible for the entries in this section of the chronicle to the second half of the tenth century, and Dumville, *Wessex and England*, 61-62, dates the same block of entries to the 960s (i.e., contemporary with the events recorded). Wulfstan of Winchester, “*Vita S. Æthelwoldi*” in *Wulfstan of Winchester: The Life of St. Æthelwold*, ed. and trans. Michael Lapidge and Michael Winterbottom (Oxford, Clarendon, 1991), 36, notes the New Minster expulsion in the chapter which immediately follows the attempted assassination of the saint by disgruntled former canons of the Old Minster.

mandorla held by four winged angels (Figure 11). The apposition of Christ and Edgar presents a pairing of the crowned king on earth and the king in heaven. On the facing folio, 3r, written in golden uncials, is a two-line verse, the only Latin poetry attributable to Æthelwold, which reads: “THUS HE WHO BUILT THE STARS SITS ON A HIGH THRONE/KING EDGAR, INCLINED IN WORSHIP, ADORES HIM.”<sup>41</sup>

After a rubric attributing the privilege to King Edgar, the charter opens with a Prologue that gives a brief account of the creation and fall of Lucifer and his companions, explaining that all wickedness is derived from the same themes, namely arrogance and the ill-use of free will. The first five chapters tell of the creation of man as a replacement for the fallen angels, the blessed and temperate life man enjoyed in Eden, his temptation and fall, and his redemption in Christ. The text then shifts to recent events, with Edgar, in the first person, telling how, after pursuing self-correction, he saw fit to follow Christ’s example, “doing on earth (through Christ’s doing) what He Himself justly did in heaven, namely freeing the fields of the Lord from the filth of sin and, as a diligent farmer, I have planted the seeds of virtue,” and, in a similar vein, “I, the vicar of Christ, have eliminated the groups of vice-ridden canons from the many monasteries of our kingdom.”<sup>42</sup>

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<sup>41</sup> Rumble, *Property and Piety*, 69-70, “SIC CELSO RESIDET SOLIO QUI CONDIDIT ASTRA/REX VENERANS EADGAR PRONUS ADORAT EUM.” Gretsch, *Intellectual Foundations*, 309-10, observes that although “REX” is in the second line, and thus associated with “EADGAR,” it can also function as the subject of the first sentence through an apo koinu construction. If such a double meaning was intended, it furthers the connection between Edgar and Christ. Catherine Karkov, “The Frontispiece of the New Minster Charter and the King’s Two Bodies” in Scragg, *Edgar, King of the English, 959-975*, 224-41, provides a recent, comprehensive discussion of the miniature.

<sup>42</sup> Ibid., 80, “agens Christo faciente in terris quod ipse iuste egit in celis extricans uidelicet Domini cultura criminum spurcitias uirtutum semina sedulus agricola inserui,” 81, “uitiosorum cuneos canonicorum e diuersis nostri regminis coenobiis Christi uicarius eliminaui.”





Figure 11. Illuminated Miniature from the New Minster Refoundation Charter Cotton Vespasian. A.viii, 2v., c 966-1st quarter of the 13th century manuscript, parchment, 235x170mm, London British Library.



The notion that Edgar, in his expulsion of the canons, was acting as Christ's earthly representative, helps explain the presence of the hexaemeral material in the first few chapters. Its inclusion allows the fall of the canons to be explicitly linked to those of Lucifer and Adam.<sup>43</sup> Further, it allows Edgar to claim the highest of justifications for his actions. He is portrayed as acting in Christ's stead, and his appropriation of the title "Christi uicarius," also develops the relationship depicted in the opening miniature. Edgar also offers a straightforward reason for his expulsion of the canons. He did so "because they were unable to be of any profit to me with their intercessions," and therefore he, "devoted, had joyfully placed groups of monks, pleasing to God, in the monasteries of our jurisdiction who might intercede for us without hesitation."<sup>44</sup> The exchange that is under discussion—that Edgar will provide physical protection for the monks and they spiritual aid for him—is touched upon at several other places in the charter, particularly in Chapter Fifteen, "How the Abbot and Monks May Rescue the King from the Temptation of Devils," and Chapter Sixteen, "How the King May Defend the Monks from the Persecution of Men."<sup>45</sup>

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<sup>43</sup> Note, for instance, God "extrican...spurcitas" in of the fallen angels in ch.2 and Edgar "eliminata...spurcitia" of the canons in ch.7. Bede, *Ecclesiastical History*, 148, "in quo ipse, **eliminata omni spurcitia**, fecit ecclesiam sanctae Dei genetricis atque omnium martyrum Christi," referring to Pope Boniface IV and his cleansing of the Pantheon, is the likely model for this construction, which recurs regularly in both Latin and Old English Æthelwoldian texts. Emphasis added.

<sup>44</sup> Rumble, *Property and Piety*, 81, "Quod nullis mihi intercessionibus prodesse poterant...gratos Domino monachorum cuneos qui pro nobis incunctanter intercederent nosti iuris monasteriis deuotus hilariter collocaui."

<sup>45</sup> Ibid., 88-89 "QUALITER ABBAS ET MONACHI REGEM A DEMONUM TEMPTATIONE ERIPIANT," and "QUALITER REX ABBATEM ET MO[NA]CHOS AB HOMINUM PERSECUTIONE DEFENDAT."

The reason that the new denizens at New Minster could offer superior spiritual support to the king is explored in Chapter Twelve, which begins by stating they are to be “regular monks, not seculars, in company with Christ, complying with the ordinances of the *Rule*.”<sup>46</sup> Whereas the canons “contaminated by varied blemishes of vices were not doing those things which God wished by his commandments, and were rebelliously doing all the things which God did not wish,” the monks would be “doing nothing except for what the common *Rule* of the monastery or the dictate of the superiors will have shown.”<sup>47</sup> Obedience to the *Rule*, then, along with obedience to any elaborations to the Divine Office that might be introduced, would be the guarantor of the effectiveness of the monks’ prayers. In our examination of the *RC*, we shall see the extraordinary nature of the intercessions on behalf of the king that Æthelwold would institute.

Further indications of the contrast between canons and monks are given in Chapter Twelve. The latter were expected to cultivate purity, humility, frugality and charity, echoing the language used to describe Adam’s life during his sojourn in Paradise. Thus, unimpeded monasticism, which Æthelwold had associated with the age of Bede in *EEoM*, is here likened to Eden; with the devils (canons) swept out, their replacements could enjoy a blessed life, although, sharing Adam’s fallibility, they still had to be on guard against external and internal dangers. The king was to be the shield against the former,

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<sup>46</sup> Ibid., 85, “regulares...monachi non seculares...Christo comite...regulę moribus obtemperent.”

<sup>47</sup> Ibid., 81, “qui uariis uitiorum neuis contaminate, non agentes quę Deus iubendo uolebat, omnia quę nolebat rebelles faciebant,” 85 “nil agentes nisi quod communis monasterii regula uel maiorum demonstraerit norma.” The latter passage is a close imitation of the language found in the *Rule*, 7.55, treating the eighth degree of humility. Cf. *RC*, 74, which quotes the language of the *Rule* verbatim.

and the *Rule* and its adjuncts were the primary protection against the latter. Of these internal dangers, the ones that seem to have most exercised Æthelwold centered on dining habits. In a succession of seven statements, he emphasized that monks should never eat with the citizens in the city (i.e., Winchester); that they should only eat in the refectory, or, if ill, in the infirmary; that they should only eat permitted foods; that the abbot's table should be in the refectory; and that very few guests should ever eat at the abbot's table, and those entertained cautiously, without ostentation or display.<sup>48</sup> Given the comparison between the canons and the monkish ideal that shapes this chapter, Æthelwold may be responding to a reputation that the Winchester canons had for extravagance in these matters.

The king's protection was also intended to maintain the monastery's independence from lay control. The monks were to enjoy the free election of their abbots, with no outsider installing a ruler over them. Of greater concern, however, was the inviolability of monastic property. Æthelwold offers blessings to those who increase monastic property and curses to those who seek to diminish it. Finally, he warns against the seizure of said property on account of the crimes of the abbot or any of the brothers, applying the same reasoning found in *EEoM*: that the property is God's, and God, who cannot transgress, should never be subject to seizure.<sup>49</sup>

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<sup>48</sup> Ibid., 86-87. Some of the standards laid down here potentially ran afoul of the *Rule*. The *RC* also shows Æthelwold's preoccupation with this issue, see below, p.218-19.

<sup>49</sup> Ibid., 90-92.

## Old Minster

Nothing as elaborate or indisputably authentic as the New Minster refoundation charter survives for the Old Minster. There is, however, a collection of charters that was incorporated into the larger cartulary known as the *Codex Wintoniensis*, of which it forms the first part.<sup>50</sup> The collection was copied by two scribes in hands dated to the early and mid-twelfth century, but they appear to have been working with a self-contained booklet that had already been in existence for some time.<sup>51</sup> There is no dating clause or witness list for the whole, and the thirteen constituent charters that make up the collection were likely issued at different times.<sup>52</sup> All the charters are in Edgar's name, but some later material has clearly been interpolated, and no precise date for the collection can be

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<sup>50</sup> London, British Library Additional MS. 15350. The collection in question occupies ff. 9r-13v. See Rumble, *Property and Piety*, 5-9 for the ms.; 95-104, for a description of this block of charters (document V); and 105-35, for an edition.

<sup>51</sup> Ibid., 6-8, 99-100. Charters make occasional references to material found in other charters within the compilation. Suggestions of a purposefully assembled collection are also evident, e.g., ibid., 130, "all the aforementioned estates successively described above in separate places by the new outline of letters" ("rura omnia predicta, et superius distinctis locis ordinatim nouis litterarum apicibus designata") found, as indicated, in the last document.

<sup>52</sup> Ibid., 115, "performed with the witness of my nobles, whose names are seen written (caraxata) on the the last page (pada) of this document ("meorum testimonio functus procerum quorum nomina in ultima huius scedule pada caraxata uidentur") presumably referring to the last page of the entire collection, but no such list survives. Caraxo, -are, from Χαράσσω, is a prime example of the graecisms that typify the "hermeneutic style" employed by Æthelwold and most of his students. (Ibid., 92, for "caraxantur" in the New Minster foundation charter.) On Æthelwold and "hermeneutic" Latin, see Michael Lapidge, "The Hermeneutic Style in Tenth-Century Anglo-Latin Literature" *Anglo-Saxon England* 4 (1975): 67-111; idem "Æthelwold as Scholar and Teacher," 187-95; and idem "Introduction," lxxxvii-xci. Rumble, *Property and Piety*, 115 n. 78, suggests "pada" is a mistake for "pagina." In Peter Sawyer, *Anglo-Saxon Charters: An Annotated List and Bibliography* (London: Rowman and Littlefield, 1968), the thirteen charters are nos. 814-19, 821-27. Sawyer 817 has both a Latin and Old English version (Rumble nos. ii and iii).

ventured.<sup>53</sup> Fortunately, those elements that would be most susceptible to monastic embellishment—estates, hidations, privileges, etc.—are not our primary concern. Our focus instead is on these charters’ thematic and lexical similarities to the texts we have already examined, as well to those that will be found in the *RC*. The presence of such similarities argues for the authorship, if not of Æthelwold himself, then of someone in his circle at Winchester.<sup>54</sup>

The charters’ treatment of the canons who had formerly occupied the Old Minster is even more fulsome than that found in the New Minster foundation charter and *EEoM*. Edgar recalls “when I expelled from that place the proud clerks who scorned to serve God, put out of doors for their wicked deeds and detestable filth,” and commands that none of his sons, grandsons nor any of their successors should ever reintroduce them.<sup>55</sup> The fullest account we have seen of the canons’ transgressions is given in this portrayal of their misuse of the Old Minster’s endowment:

Assuredly, the canons, disfigured by the blemish of every vice, swollen with empty glory, putrefying with the spite of envy, blinded by the stains of avarice, taking pleasure in the fires of excess, entirely given over to

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<sup>53</sup> Rumble, *Property and Piety*, 102-03, suggests it was assembled “some time in the reign of Æthelred II” (978-1016).

<sup>54</sup> Lapidge, “Hermeneutic Style,” 89, detects “[Æthelwold’s] influence (and possibly his actual authorship)” in this collection.

<sup>55</sup> Rumble, *Property and Piety*, 111, “quando superbos clericos qui Deo seruire contempserunt pro nefandis suis actibus et detestandis spurcitiis inde eliminatos expuli.” Cf. *ibid.*, 113, “when he drove out from there the proud priests for their sins,” (“þa þa he hit þa modigan preostas for heora mandædon þanan ut adrefde,”) in the Old English version of the same charter, which puts Edgar in the third person. “Modig” for “superbus” is a hallmark of the “Winchester Vocabulary,” Gretsch, *The Intellectual Foundations*, 410-23, and see above, pp. 183-85. Note also Rumble, *Property and Piety*, 131-32, and the expulsion of canons as detailed in the last charter in this collection.

every appetite, subject to the earthly king, not to the bishop, used to feast themselves by old custom in modern times on the aforementioned land. Since indeed, following drunkenness with murder, and shamelessly embracing their wives in an excessive and unwonted lust, very few wished to visit God's church, and rarely, nor did they deign to celebrate the canonical hours. For this guilt, the canons, with [their] prior, ejected, and the filth of impurity put out of doors...<sup>56</sup>

In this steadily ascending litany of misdeeds, pride of place is given to the canons' failure to chant the offices.<sup>57</sup> (Their excessive dining habits also give offense, confirming the suspicions raised by the New Minster charter.) The passage is structured so that it is the most proximate of the outrages that cause Edgar to move against them. If, as he reasons in the New Minster refoundation charter, the canons either would not intercede with heaven on his behalf—or on behalf of his kingdom, subjects and Church—or if their accumulated evils rendered their intercessions inutile, they needed to be replaced with monks, the regularity and effectiveness of whose intercessions was guaranteed by the observance of Benedict's *Rule*.<sup>58</sup>

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<sup>56</sup> Rumble, *Property and Piety*, 131, "Certe canonici omni uiciorum neuo deturpati inani gloria tumidi inuidię liuore tabidi philargirię maculis obcecati luxurię facibus libidi gulę omnimodo dediti regi terreno non episcopo subiecti prefati ruris usu ueterano moderno tempore pascebantur alimentis. Ebrietatem siquidem et homicidia sectantes coniuges suas turpiter nimia et inusitata libidine amplectentes ecclesiam Dei raro et perpauci frequentare uolebant nec horas celebrare canonicas dignabantur. Quo reatu eiectis cum proposito canonicis et eliminata immundorum spurcicia..."

<sup>57</sup> The performance of the hours was, of course, enjoined on canons no less than monks. The *Regula Canicorum* of Chrodegang of Metz (d. 766) was known in tenth-century England in its "enlarged" version, featuring interpolations from the *Institutio Canonicorum* promulgated at the 816 Council of Aachen. See Langefeld, ed. and trans., *The Old English Version of the Enlarged Rule of Chrodegang*. Martin Claussen, *The Reform of the Frankish Church and the "Regula Canonicorum" in the Eighth Century* (Cambridge: University Press, 2004), 59-113, explores the regimen laid out by Chrodegang and its similarities to the *Rule* of St. Benedict.

<sup>58</sup> Rumble, *Property and Piety*, 110, 113, 131 and 132, for the expectation that the monks would live according to the *Rule*.

The Old Minster differed from the New in one important respect—it was a cathedral chapter. Prior to Æthelwold’s elevation to Winchester, the monastic cathedral church was a phenomenon that had not been seen in England since the eighth century. Nor were there any continental examples that could be drawn upon. The Old Minster charters’ discussion of the monk-bishop can therefore be assumed to have drawn upon the personal experience of Æthelwold and his chapter. Their approach appears to have been to graft the office of abbot as closely as possible onto that of bishop. As much as possible, his secular burdens were to be lifted from him; the justification for the rich estates with which the Old Minster was endowed by this collection is that it would free the mind of the bishop from the vexations of worldly concerns so that he might give himself over to contemplation, lest he become too wearied to intercede for the king’s sins.<sup>59</sup> The bishop is encouraged to celebrate mass according to the monastic office and to eat with the monks, but without intruding laymen or clerics into their cloisters or refectory.<sup>60</sup> The bishop is prohibited from alienating monastic land, much like abbots and abbesses in *EEoM*, and is required to keep to the division of food-rents that has been established.<sup>61</sup> He is to advise and aid the community, which is also to be guided by an “indispensible prior.”<sup>62</sup> Upon his death, his replacement should come from the cathedral chapter, or, if

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<sup>59</sup> Ibid., 130, “omnique seculari soluta gloriose ditauī seruitute ne uexatione mundanę afflictionis mens presulum pro nostris facinoribus intercedentium a diuina contemplatione remota deficiendo lasceret.”

<sup>60</sup> Ibid., 134.

<sup>61</sup> Ibid., 110-11, 133-34. On 130-31, the division is described “as having been ordained in our times through the forethought of the wise,” (“ut nostris temporibus per sapientium ordinatum est prouidentiam”) but no details are provided in this collection.

<sup>62</sup> Ibid., 133, “prepositum...necessarium.”

no suitable candidate is available, “let a monk from another well-known monastery—but not a canon—be wisely elected, who is worthy of the dignity of such great rank according to his merit and learning, by the unanimous resolution of the king and the monks of the same monastery.”<sup>63</sup>

The reference to “eiusdem monasterii” is curious, as this charter is specific to the Old Minster. Since, as has been noted, this was the first monastic-bishopric, Æthelwold could not simply be copying a proviso that had been written for another diocese. This gives rise to the suspicion that this section, at least, was written after the promulgation of the *RC*, which deals with the same issue.<sup>64</sup> Another possibility is that the author, be it Æthelwold or one of his pupils, was drawing upon a papal letter concerning the Old Minster that would have offered support and guidance on many of these points.<sup>65</sup> The authenticity of the letter, from “Iohannes episcopus,” has found general acceptance, and is most commonly believed to be written by John XII, shortly before he was driven from Rome by the forces of Otto I in early November, 963.<sup>66</sup>

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<sup>63</sup> Ibid., “ex alio noto monasterio monachus non autem canonicus ad tanti gradus dignitatem qui dignus sit secundum meritum atque doctrinam unanimi regis et monachorum eiusdem monasterii consilio sapienter eligatur.”

<sup>64</sup> See below, p. 214.

<sup>65</sup> *Regesta Pontificum Romanorum ab Condita Ecclesia ad Annum*, Phillip Jaffé ed., 2<sup>nd</sup> ed. eds. S. Löwenfeld, F. Kaltenbrunner and P. Ewald. 2 vols. (Leipzig: 1885-88), no. 3735 (*sub.* John XIII). See Rumble, *Property and Piety*, 233-35, for a description and *ibid.*, 235-37, for an edition of this letter.

<sup>66</sup> *Councils & Synods*, 1:110-11, notes that a later date, either after John XII’s restoration but before his death (26 February–14 May, 964) or early in the papacy of John XIII (beginning in 965) would have arrived after the expulsion of the canons. The difficulties presented by the letter’s recognition of Æthelwold as “*coepiscopus*” when his consecration was not until November 29, 963, can be overcome if Dunstan had indicated to Rome that Æthelwold was bishop-elect to Winchester. See also *Property and Piety*, 233.



The letter is addressed to Edgar and couched as a response to a request the king had made through Dunstan, who had in fact received his pallium as Archbishop of Canterbury from the same pontiff in 960.<sup>67</sup> In it, he grants that the canons, with their prior, be thrown out of the Old Minster on account of their crimes.<sup>68</sup> In their place, the pope approves a plan for his fellow-bishop Æthelwold, whom he describes as “extremely imbued with the teachings of the *Rule*,” to nourish a flock of monks who will dwell there perpetually, following the precepts of the *Rule*.<sup>69</sup> Finally, he addresses the means by which Æthelwold’s successors should be selected. They should be called from that community, but, if no one suitable can be found, “we command that no one from the order of clerks should be promoted to this church, but rather a monk who is worthy should be found from some other congregation and put in charge of this church.”<sup>70</sup>

Clearly, there is much support here for Æthelwold’s actions in the years following his assumption of the see at Winchester. His failure to openly avail himself of this letter is thus somewhat puzzling.<sup>71</sup> It cannot be merely an issue of parochialism since, as can be

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<sup>67</sup> *Councils & Synods*, 1:90-92, prints the privilege that accompanied Dunstan’s receipt of his pallium.

<sup>68</sup> Rumble, *Property and Piety*, 236. Note the specific mention of the prior in the Old Minster collection, see above p. 203. I am unaware of any other instances in which individuals among the canons and clerks expelled from Anglo-Saxon houses are singled out for special mention in this fashion.

<sup>69</sup> *Ibid.*, “regularis disciplinis apprime imbutus.”

<sup>70</sup> *Ibid.*, 236-37, “præcipimus ut nemo ex clericorum ordine ad huius regimen ecclesiæ promouetur, sed potius ex alia qualibet congregatione qui dignus inuentus fuerit monachus assumatur et huic ecclesiæ præfictur.”

<sup>71</sup> *Ibid.*, 234, claims that the “absence of reference to [the papal letter in the Old Minster collection of charters]...is explicable by the fact that [the collection]...omits reference to Dunstan.” This argument has little to recommend it. Æthelwold is at pains to foreground Dunstan

seen in *EEoM*, he is happy to acknowledge the English Church's debt to another pope, Gregory the Great. Obviously, John lacked Gregory's stature, but it might be thought that any papal sanction of Æthelwold's actions could only add to their authority. Æthelwold may have feared that any attention given to Rome would have had to come at the crown's expense. In the texts examined thus far, he was at pains to place Edgar at the center of all his reforming efforts, and we will see that this held for the *RC* as well. If Æthelwold ran into difficulties with nobles or secular clergy, he could seek immediate redress from the king's court in Winchester much more quickly than he could from Rome.

### ***The Regularis Concordia***

The texts that have been reviewed thus far have presented Edgar's perspective and, accordingly, have emphasized his use of authority and coercion in establishing foundations governed by the *Rule*. Once bad canons and clerks had been driven from existing houses and new ones founded in sufficient numbers as to make direct, constant oversight impossible, a different set of problems arose.<sup>72</sup> What sort of practices would these cathedral chapters, monasteries and convents follow, what sort of allowances would be made for the differences in the nature of these foundations, and how much freedom for variant devotions—of both individual regulars within a community, and for communities

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when possible, so much so that many earlier authorities thought Dunstan was responsible for the *RC*, see below, p. 210n80.

<sup>72</sup> Byrhtferth of Ramsey, "Vita. S. Oswaldi" in *Byrhtferth of Ramsey: The Lives of St. Oswald and St. Ecgwine*, ed. and trans. Michael Lapidge (Oxford, Clarendon, 2009), 76, claims that Edgar "ordered more than forty monasteries be set up with monks," ("plus quam quadraginta iussit monasteria constitui cum monachis"). Lapidge, *Lives of St. Oswald*, 76 n. 120, while admitting the record is incomplete, expresses reservations. Jesse D. Billett, *The Divine Office in Anglo-Saxon England, 597-c.1000* (Woodbridge, Suffolk: Boydell, 2014), 151, notes that even if Byrhtferth's number is accepted, reformed houses made up approximately ten percent of England's minsters, albeit a disproportionately well-endowed and influential ten percent.

as a whole—should be tolerated? The *Regularis Concordia* represents a systematic attempt to answer these questions.

The scholarly interest in the *RC* has long been directed towards two ends. The first entails identifying the contemporary continental sources and practices the text drew on.<sup>73</sup> The second deals with the effect of the *RC*, specifically, how widespread and durable were the practices it was intended to inculcate throughout the kingdom.<sup>74</sup> These issues are not central to this inquiry, however. The sources Æthelwold drew upon are of less interest than the sources he acknowledged having drawn upon and the justifications he provided for making use of them. Similarly, the actual effects of the *RC* are less important than what can be discerned of its desired effects. Of greater interest is what the text has to say about why standards of monastic behavior were deemed necessary, how they were created, and how they were to be implemented.

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<sup>73</sup> E.g., H. Daupin, “Le Renouveau Monastique en Angleterre au Xe siècle et ses Rapports avec la Réforme de S. Gérard de Brogne” *Revue Bénédictine* 70 (1960): 177-96; L. Donnat, “Recherches sur l’Influence de Fleury au Xe Siècle,” in *Études Ligériennes d’Histoire et d’Archéologie Médiévales*, ed. R. Louis (Paris: Clavriuel, 1975), 165-74; Donald Bullough “The Continental Background of the Reform” in Parsons, *Tenth-Century Studies*, 20-36; Lapidge, “Introduction,” lvi-lx. Of particular note for this question is the work of Thomas Symons, “Sources of the *Regularis Concordia*” *Downside Review* 59 (1941): 14-36, 143-70, and 264-89; idem, *The Monastic Agreement*, xlv-vii; and idem, “*Regularis Concordia*: History and Derivation” in Parsons, *Tenth-Century Studies*, 37-59. Patrick Wormald, “Æthelwold and his Continental Counterparts, 30n69, in regards to Symons’s work, comments “on the whole, each is successively less optimistic about the possibility of establishing continental links,” a remark that might have application not just to Symons, but to the overall question.

<sup>74</sup> Work on this question is invariably tied into the broader one of the overall efficacy of the Benedictine Reform (see above, p. 56-57) but the limited survival of the text and the general absence of comment upon it by contemporaries and subsequent generations have contributed to a generally negative evaluation.

In its proem, the *RC* is described as the product of a Synodal Council of bishops, abbots and abbesses that met at Winchester.<sup>75</sup> The text does not provide a date for this council or the promulgation of the *RC* itself. A *terminus post quem* of 964 is provided by the mention of Æelfthryth as Edgar's wife and a *terminus ante quem* of 975 by that monarch's death. Most historians have preferred a date between 970-73, with many contending that the run-up to Edgar's coronation at Bath on Pentecost of 973 made Easter of that year a particularly likely time; a minority has urged dates in the late or even mid-960s.<sup>76</sup>

The *RC* survives in two manuscripts, one dated to the late tenth century and the other to the mid-eleventh.<sup>77</sup> The later of the two manuscripts has an accompanying Old English gloss.<sup>78</sup> The current title is derived from the more recent of these manuscripts, which opens "PROOEMIUM REGVLARIS CONCORDIAE ANGLICAE NATIONIS

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<sup>75</sup> *RC*, 72.

<sup>76</sup> *Councils & Synods*, 1:135 [between 970 and 973]; Lapidge, "Introduction," lviii [between 970 and 973]; Thomas Symons, "*Regularis Concordia*: History and Derivation," 40-42 [973] (a revision from "around 970" in Symons, *The Monastic Agreement*, xxiv); and Gretsch, "The Benedictine Rule in Old English," 150-51 [973]. For a recent argument in favor of an earlier date, see Barrow, "Chronology of the Benedictine 'Reform,'" 211-223 [966], which sees the creation of more Benedictine houses in the 960s than the 970s and associates the Synod and *RC* with the New Minster foundation charter. A key point urging a later date is the comment in the *RC*, 70, that at the time of the Synod of Winchester, Edgar had set foundations "per tantam sui regni amplitudinem." For the purposes of this study, the precise date of the *RC* is less significant than its relationship with other Æthelwoldian reform texts.

<sup>77</sup> London, British Library, Cotton Faustina B.iii, ff. 154r-193v, (Symons sigil 'F' and *CCM* sigil 'Fa') is the earlier. London, British Library, Cotton Tiberius A.iii, ff. 3r-27v, (Symons sigil 'T' and *CCM* sigil 'Ti') is the later. Ff. 174-177 of the Tiberius ms. were originally part the Faustina ms., and f. 177r-v, (Symons sigil 'F<sub>2</sub>' and *CCM* sigil 'Fa<sup>1</sup>') is a continuation of the *RC* from that manuscript, in the same hand. Symons uses T as the base for his edition, while that found in the *CCM* utilizes Fa and Fa<sup>1</sup>. See Ker *Catalogue*, nos. 155 (Faustina) and 186 (Tiberius) for dates and descriptions of these mss.

<sup>78</sup> Kornexl, prints this gloss, aligned with the original Latin.

MONACHORVM SANCTIMONIALIVMQVE ORDITVR.”<sup>79</sup> Nowhere within the text is the author identified. Æthelwold’s authorship has been adduced from a line in his pupil Ælfric’s *Letter* and, more recently, from stylistic similarities with his other work.<sup>80</sup>

The king’s role was less central to the *RC* than in the charters and *EEoM*, but it was not eliminated. The text opens with praise for the Edgar, who, while young, “was assiduously advised by a certain abbot who revealed to him the royal way of the Catholic faith by a certain abbot.”<sup>81</sup> This teaching instilled in him a strong devotion, and when, as king, he learned of the sorry state of the monasteries in his realm, “with the filth of the negligent clerks having been driven out, he most devotedly set up to the service of God everywhere through the entirety of his kingdom not only monks, but also nuns, with appointed abbots and abbesses.”<sup>82</sup> In so doing, he “as the watchful pastor of all the

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<sup>79</sup> The Faustina ms. has no title.

<sup>80</sup> Eric John “The Sources of the English Monastic Reformation: A Comment” *Revue Bénédictine* 70 (1960): 196-203, contends that Æthelwold’s reputation vis-à-vis Dunstan went into eclipse as a result of the predilection of post-Conquest Anglo-Norman historians for the latter. Frederick Tupper Jr., “History and Texts of the Benedictine Reform of the Tenth Century” *Modern Language Notes* 8:6 (1893): 358-63, in support of Æthelwold as author, traces the thread of scholarly argument on the matter from the sixteenth century to the time of his article, showing that many were willing to set aside Ælfric’s statements and credit Dunstan with the work. Through the middle of the twentieth century, a variant of this claim, summarized in Edmund Bishop’s aphorism “Dunstan the mind, Æthelwold the pen,” still presented the Archbishop of Canterbury as the prime mover in the production of the *RC*. See, for example, Joseph Armitage Robinson, *The Times of St. Dunstan* (Oxford: University Press, 1923), 155. Æthelwold is now generally accepted as both the author and animating spirit behind the work. Recent arguments to this effect include Lapidge, “Æthelwold as Scholar and Teacher,” 98-100; and Kornexl, *Die Regularis Concordia*, xxxi-l. For Ælfric’s *Letter*, see below, p. 226-29.

<sup>81</sup> *RC*, ch. 1, “abbate quodam assiduo monente ac regiam catholicae fidei uiam demonstrante.” Cf. below, p.240, the claim in Byrhtferth’s “Vita S. Oswaldi” that Æthelwold nurtured the young Edgar.

<sup>82</sup> *RC*, ch. 2, “eiectisque neglegentium clericorum spurcitiis non solum monachos uerum etiam sanctimoniales patribus matribusque constitutis ad dei famulatum ubique per tantam sui regni

pastors...rescued the sheep which, through the bountiful grace of God, he had zealously assembled for defending.”<sup>83</sup> In the same fashion, echoing *EEoM*, he set his wife Ælfthryth as protectress of the nuns.

So far, this is largely of a piece with the other documents. The *RC* goes on to say, however, that Edgar, while pleased by the zeal of those who had embraced Benedictinism, was concerned that they were driven to outdo one another, for though they shared one faith, they did not follow one monastic custom. He therefore called for the synod at Winchester, and “urged that they all be of one accord in regard to monastic practice, to imitate the holy and approved fathers, and, with their minds firmly fixed on keeping the precepts of the *Rule*, to differ in no fashion, lest unequal and various usages inflict shameful reproach to the holy observance of one *Rule* and one country.”<sup>84</sup> In this passage, the impetus that led to the promulgation of the *RC* is credited to Edgar, and thus, in a fashion, he is granted authorship. His role is depicted in a full-page miniature that accompanies the text in one of its manuscripts.<sup>85</sup>

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amplitudinem deuotissime constituit.” I follow the reading in Ti here, in preference to Fa, which has “monachus...sanctimonialis.”

<sup>83</sup> Ibid., ch. 3 “ueluti pastorum pastor sollicitus...oues quas domini lariante gratia studiosus collegerat muniendo eripuit.”

<sup>84</sup> Ibid., ch. 4, “cunctosque...monuit ut concordēs aequali consuetudinis usu sanctos probatosque imitando patres regularia praecepta tenaci mentis anchora seruantes nullo modo dissentiendo discordarent, ne impar ac uariis unius regulae ac unius patriae usus probrose uituperium sanctae conuersationi irrogaret.”

<sup>85</sup> Tiberius, 2v. As this manuscript is mid-eleventh century, its text of the *RC* must be at least one remove from any that were circulated from the Winchester Synod. The miniature might also be a reproduction of a more elaborate version that was included in a first-generation copy. If so, the nimbus on the bishop and archbishop would have been later additions.

The image (Figure 12) features a crowned and seated Edgar, holding a palm branch. To his left is an archbishop, wearing a pallium and offering a blessing, and to his right a bishop. Both the churchmen are adorned with a nimbus, and the three figures each hold part of a long scroll, presumably the *Regularis Concordia* itself. In the lower register is a monk, tonsured, gazing upward and apparently in the act of genuflecting. He too holds a long scroll, part of which is behind his back.<sup>86</sup> The king and archbishop are likely Edgar and Dunstan, respectively, and the bishop Æthelwold.<sup>87</sup> The layout clearly suggests that the three shared authorship of the *RC*.<sup>88</sup>

The *RC* credits Edgar with one further act. The epilogue states that the king had abolished the death-tax known as the *heriot* for abbots and abbesses because of the danger that, in order to pay it, they would set aside stores of money, which would contravene the *Rule*'s strict prohibition against private possessions.<sup>89</sup> A further possible concern, although it remained unvoiced in the *RC*, was that houses might be forced to alienate some of their property to pay the *heriot*.

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<sup>86</sup> Symons, *Monastic Agreement*, lv, suggests the monk may be binding or girding himself with it, representing his submission to the *RC*.

<sup>87</sup> Leaving aside his authorship of the *RC* and its Winchester provenance, the only bishop—as opposed to archbishop—who was both culted and a contemporary of Edgar's was Æthelwold. As for Dunstan, while it's true that St. Oswald was archbishop of York as well as bishop of Worcester, Dunstan's presence at the Winchester Synod is acknowledged (see *RC*, 71, where he is described as “egregius huius patriae archiepiscopus” and acting “prouide ac sapienter”) while Oswald is not mentioned. Benjamin Withers, “Interaction of Word and Image in Anglo-Saxon Art II: Scrolls and Codex in the Frontispiece to the *Regularis Concordia*” *Old English Newsletter* 31:1 (1997): 36-40, suggests other possible identities for these ecclesiastics.

<sup>88</sup> Catherine Karkov, *The Art of Anglo-Saxon England* (Suffolk, Woodbridge: Boydell, 2011), 109-14, and other works cited therein, offers a detailed reading of Edgar as he is portrayed in this miniature.

<sup>89</sup> *RC*, 146-47. The epilogue is only found in Ti.

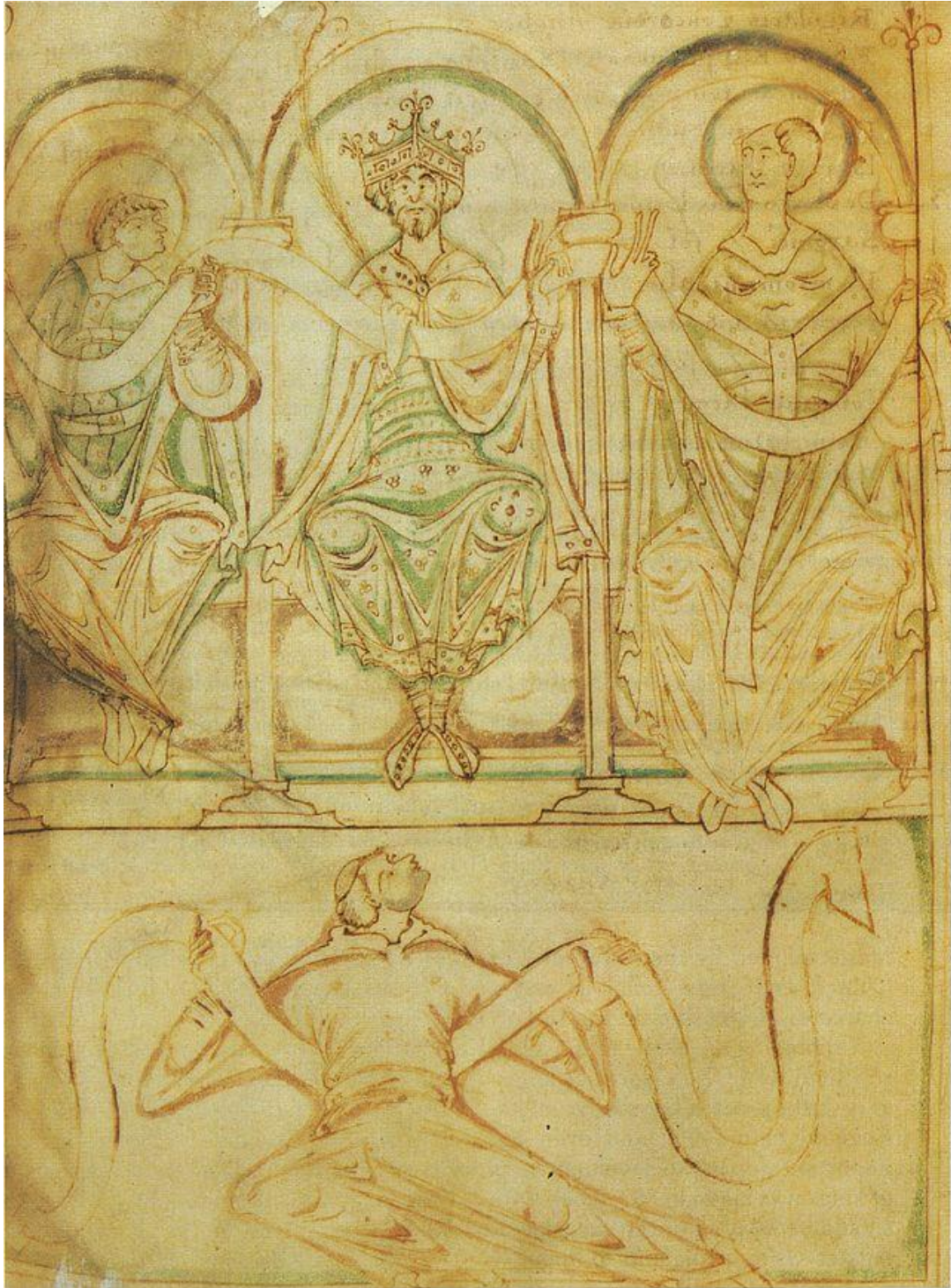


Figure 12. Illuminated Miniature Prefacing a Copy of the *Regularis Concordia*  
Cotton Tiberius A.iii, f2v., 11<sup>th</sup>-century manuscript, parchment, 300x240mm, London  
British Library.



The king's role did not end with the convening of the synod. The *RC* allotted him two specific functions in the ongoing life of a monastery. First, upon the death of the abbot or abbess, the choosing of the successor was to be “conducted together with the advice of the king and by the teaching of the Holy *Rule*.”<sup>90</sup> Monastic bishops were to be chosen the same way, and, as provided for in the Old Minster charter collection and papal letter, if there was no suitable candidate within the chapter, one would be selected from another monastery. Such a bishop was to hold to the monastic life in all things, with his monks, just as an abbot would, and not allow his episcopal functions to keep him from observance of the *Rule*.

The second function of the king was to protect. The *RC* permitted abbots and abbesses to make petitions only to the king and queen, to whom they were to have unfettered access, lest they endanger the independence of their foundation by incurring obligations to powerful laymen.<sup>91</sup> Nor were they to meet with such persons for the purpose of feasting, whether in or out of the monastery, but only for reasons of defense or other practical matters.

In exchange for the king's (and queen's) protection, the monks were to reciprocate in their own fashion. The *RC* meticulously lays out the schedule for each of the eighteen

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<sup>90</sup> Ibid., ch. 9, “cum regis **consensu** et consilio sancte regulae ageretur documento.” Fa reads “sensu.” Ch. 64 of the *Rule* makes no allowances for the role of any secular overlord.

<sup>91</sup> Ibid., ch. 10. Although it is not explicitly stated, the parallelism in this section implies abbots are to petition the king and abbesses the queen, in accord with what has been said about Ælfthryth as protector of convents. Pauline Stafford “Queens, Nunneries and Reforming Churchmen: Gender, Religious Status and Reform in Tenth- and Eleventh-Century England” *Past and Present* 163 (May, 1999): 3-35, offers some suggestions on the significance of the move away from non-royal lay control for the status of the queen and that of female cenobitic communities.

psalms that were said every day, either for the king, or collectively for the king, queen and benefactors, as well as the twenty-five collects, offered for the king, for the queen or, again, collectively for the king, queen and benefactors, so that, in theory, nine times a day every monk in England was offering prayers for the king, a regimen that is wholly unparalleled in continental consuetudinaries.<sup>92</sup> Nor should these intercessions be carried out haphazardly. Within the proem there is a stern warning against angering God by chanting through the prayers for king and benefactors at too great a speed.<sup>93</sup> In addition to the prayers and psalms, the *RC* stipulates that on weekdays, absent any urgent concern, the chapter as a whole say Morrow Mass—the morning Mass held after Tierce—for the king.<sup>94</sup>

Having gathered at Edgar's behest, the council attendees needed to decide upon what standards of observance they wished to implement. To this end, they called in experts.

Recalling the letters with which our holy patron Gregory strove to teach the blessed Augustine that, for the honor of the undeveloped English church, he should establish not only the customs of Rome, but also the distinguished ones of the Gallic churches, monks were summoned from Fleury of the blessed Benedict and also from that excellent monastery

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<sup>92</sup> *RC*, ch. 17, at *Trina Oratio*, ch. 19, after Nocturns, ch. 21, after Matins, ch. 24, after Tierce ch. 31, after Mass, ch. 33, after Sexte and again after None, ch. 34, after Vespers, and ch. 37, after Compline. See Symons, "Sources of the *Regularis Concordia*," 146-49 on the novelty of this regimen. A potential Anglo-Saxon precedent can be found in the third clause of Æthelstan's fifth (Exeter) law code, c.935, Liebermann, *Gesetze*, 1:168, "7 man singe ælc Frigdæge æt ælcum mynstre ealle þa Godes þeowan an fiftig for þone cyng 7 for ealle þe willaþ ðaet he wile 7 for þa oþre swa hy geearnian"—"And each Friday in every monastery all the servants of God shall sing fifty [psalms] for the king and for all who wills as he wills, and for the others as they merit."

<sup>93</sup> *RC*, ch. 8.

<sup>94</sup> *Ibid.*, ch. 25.

called by the celebrated name of Ghent and from their worthy practices collected whatever was distinguished.<sup>95</sup>

Thus, the text continue, like the bees, which gather nectar from many flowers into the honey of one hive, the monastic customs of many traditions were gathered into a single consuetudinary, the *Regularis Concordis* itself. In this chapter, Æthelwold both establishes the bona fides of those foreigners who assisted at the synod and justifies their presence by appealing to the precedent set by Gregory. The result, it is suggested, will be an amalgam of the best available practices.

One of the first things we should expect in any set of standards is an agreement upon fundamental terms. While still in the proem, the *RC* states that all will abide by “food according to weight, measure and number, clothing, fasting, abstinence, vigilance, silence, the virtue of obedience and the rest of those thing which we have willingly accepted from the tradition of our blessed patron Benedict.”<sup>96</sup> The *Rule*, therefore, served as the foundation of accepted practice upon which the standards that represented elaborations for English monks could be built.

Given the concern about variant practices that purportedly led to the Winchester Synod, one might expect the *RC* to thoroughly regiment the life of the monk. There are

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<sup>95</sup> Ibid., ch. 5, “sanctique patroni nostri Gregorii documenta quibus beatum Augustinum monere studuit, ut non solum Romanae uerum etiam Galliarum honestos aecclesiarum usus [in] rudi Anglorum ecclesia decorando constitueret, recolentes, accitis Florensis beati Benedicti necnon praecipui coenobii quod celebri Gent nuncupatur uocabulo, monachis queque ex dignis eorum moribus honesta colligentes.” Fa has “nuncupator.”

<sup>96</sup> Ibid., ch. 14, “Victum cum pondere, mensura et numero, uestitium, ieiuniam, abstinentiam, uigiliam, taciturnitatem, obedientiae bonum et cetera, quaeque patroni nostril beati Benedicti traditione uoluntarie suscepimus.” It is worth noting that, even among these fundamentals, weights and measures are mentioned first.

certainly some passages that suggest the reform was designed to produce precisely this.

In regard to activity on Saturdays, the *RC* states, in part, “let no one presume to do anything whatsoever, however small, of his own, and as if it were his own invention...nor, puffed up by overweening pride, let him dare to do the least thing without the approval of the prior. ...lest by dismissively slighting the smallest precept of the *Rule*, he become guilty, as the apostle says, of all the commandments, which God forbid.”<sup>97</sup>

More often, though, even in sections with the most unbending language, there are allowances for choice on the part of the individual. In an excerpt from the proem dealing with the creation of the *RC* itself the text begins in a vein quite similar to the previously cited passage, even sharing some of the same language:

Lest therefore they should all, which God forbid, choose to act according to their own presumptions and pitiably lose the most excellent fruit of holy obedience, unexpectedly seduced by the pride of arrogance...they [i.e., the synod] unanimously vowed to our Lord Jesus Christ, and confirmed the vow with a spiritual pact, that, having given themselves to life under the yoke of the *Rule*, they would openly preserve these recorded monastic customs [i.e., the *RC*] with a common observance.<sup>98</sup>

The very next line presents a substantial shift, however, “for the rest, each shall prudently enjoy private prayer, with God as witness, in the secret places of the oratory and be

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<sup>97</sup> Ibid., ch. 97, “Nullus quippiam quamvis parum sua ac quasi propria adinventionem agere presumat...nec parum quid sine prioris licentia superbiae tumore inflatus audeat. ...ne regulae praeceptorum minima paruipendendo pretereant ac sic dicente apostolo omnium mandatorum quod absit reus existat.”

<sup>98</sup> Ibid., ch. 6, “Ne igitur singuli, si suam, quod absit, adinventionem suapte praesumptuosi eligerent excellentissimum sancte oboedientiae fructum, alicuius arrogantiae fastu inopinate seducti miserabiliter amitterent...uotum Domino nostro Ihesu Christo unianimes uouerunt pactoque spirituali confirmauerunt se uita comite iugo regulae deditos has adnotatas morum consuetudines communi palam custodire conuersatione.”

vigilant in good works in whatever way the grace of the Holy Spirit shall mercifully guide them.”<sup>99</sup>

This allowance for private prayer is suggestive. It is unlikely that the text is here suggesting a distinction between thought and action—prayer is, of course, action, and the *opus dei* is the primary activity of any monk. Instead, it seems to be an indication of the limitations of standardization in the *RC*. The standards contained in the *RC* were not intended to regulate every moment of the monks’ lives. Instead, they were intended to supplement and elaborate the Divine Office as it was presented in the *Rule*. If this was their purpose, it would explain why, in the one instance in which the *RC* clearly contradicts the *Rule*, the text is at its most defensive, uniquely making explicit use of an authoritative precedent to support the new standard. This deviation comes in the midst of a discussion about the proper reception of poor pilgrims at the monastery.

Nor, seduced by the arrogance of pride or disfigured by the blemish of thoughtlessness shall he foolishly overlook anything in service of them [i.e., pilgrims] which the *Rule* has taught. This alone, which holy fathers instituted at a synodal council, not from contempt towards the *Rule* but particularly for the health of souls and the protection of virtues, shall especially be observed; namely that for those dwelling in a monastery, neither the abbot himself nor any of the brothers shall eat or drink outside the refectory, except in the infirmary on account of sickness.<sup>100</sup>

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<sup>99</sup> Ibid., “Ceterum unusquisque secretis oratorii locis, in quantum sancti spiritus gratia clementer instigauerit, peculiaribus teste deo cum bonorum operum uigilantia consulte utatur orationibus.”

<sup>100</sup> Ibid.: ch. 95, “Nec aliquid in eorum obsequio quod regula precept tumoris fastu seductus uel obliuionis neuo deceptus insipienter pretermittat. Hoc sollummodo, quod sancti patres ob anime salutem uirtutumque potius custodiam quam ad regulae contemptum sinodali statuerunt concilio magnopere custodito, ut uidelicet in monasterio degens extra refectarium nec ipse abbas nec fratrum quispiam nisi causa infirmitatis manducet uel bibat.” The “synodali concilio” in question is that of 816 at Aix-la-Chapelle, see *Synodi primae Aquisgranensis decreta authentica*, ed. Josef Semmler in *Initia Consuetudinis Benedictinae: Consuetudines saeculi octavi et noni*, ed. K. Hallinger, *Corpus Consuetudinum Monasticarum* 1 (Siegburg: F. Schmitt, 1963), 451–68, at 464–

It may be significant that the same matter which had so provoked Æthelwold in the New Minster charter arises here. If this passage truly denotes the exception that proves the rule, we would assume that it is in those matters least germane to the *Rule* that the most autonomy would be allowed.

This hypothesis is easily tested by examining the handful of other instances in the *RC* that allow for some degree of personal freedom. Some treat the interior state of the individual monk. One passage notes that in the daily Mass, after Tierce, monks are expected to receive the Eucharist, except for those who deem themselves in a state of unconfessed sin or “fleshly weakness.”<sup>101</sup> Another states that at the conclusion of Compline, when the monks depart for bed, those who are particularly ardent may remain in the church at prayer—at least until the sacristan rings a final bell, at which point all must retire.<sup>102</sup> Neither of these cases is exceptional—indeed the former is theologically mandated—nevertheless, they point to the necessity of making allowances for individual behavior in the highly regimented context of a monastery.

Other examples are more clearly connected to personal preference, and perhaps, in one instance, a tacit acknowledgement of the differences between winter in Nursia and Northumbria. It is permissible, after the Kalends of November, for a special room to be provided with a fire to which monks who find the cloister too oppressive may retire,

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65, can. 25. The provisions in the *Rule*, chs. 53 and 56, that the abbot have a separate table and kitchen and that guests be entertained at his table, are doubtless what are referred to here.

<sup>101</sup> Ibid., ch. 28, “carnis fragilitate.”

<sup>102</sup> Ibid., ch. 38.

although silence must still be observed.<sup>103</sup> Further latitude is allowed on weekdays in summer. If Matins ends before the beginning of the day, then those who wish, with the permission of the prior, may return to their beds until daybreak.<sup>104</sup> Here, the *RC* skirts gainsaying traditional Benedictine observance, as Chapter Eight of the *Rule* states that during the summer months, Matins should end with at most a very short interval between daybreak and Lauds. The *RC* notes that this is proper, but still is compelled to acknowledge the possibility that it may not occur.<sup>105</sup> Indeed, the likelihood of such an interlude is high, as another passage explicitly permits (although it does not require) rest in bed after Matins and before daybreak during Holy Week.<sup>106</sup>

While these allowances for individual variation are undeniable, they are arguably trivial; none of the cases adduced thus far would lead to significant differences in practice between monks of the same community. Between different houses, however, the *RC* allows for variance as well, and in matters of greater substance than those cited heretofore. If uniformity of custom were the overarching principle of the *RC*, it would be hard to imagine its architects countenancing differences in the performance of the offices of Holy Week; in fact, there are two.

In its discussion of the night office for Holy Thursday, the text reads “we have also learned that, in churches of certain religious [men], a certain event happens by which the

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<sup>103</sup> Ibid., ch. 39.

<sup>104</sup> Ibid., ch. 82.

<sup>105</sup> Ibid., “But **if** Matins should have ended at the light of day, **as is proper**,” (“**Quod si** luce diei, **ut oportet**, Matutinae fuerint finite.”) Emphasis added.

<sup>106</sup> Ibid., ch. 62.

compunction of the soul is awakened by tangible signs of that which is spiritual,” and then goes on to describe the practice, which consists of three pairs of children leading the choir in *Kyrie eleison* at the end of the night office for Thursday, Friday and Saturday of Holy Week.<sup>107</sup> The chapter concludes:

I think this use of religious compunction was invented by Catholic men so that the terror of darkness which struck the tripartite world with unaccustomed fear at our Lord’s Passion and the consolation of apostolic preaching which revealed to the whole world Christ obedient to His Father even unto death for the salvation of the human race might be most clearly indicated. Therefore we determined to insert these so that if there be anyone whose devotion they please, they have in these a means by which they might instruct the ignorant of this matter. Those who do not wish to, however, shall not be forced to conduct them.<sup>108</sup>

Similar reasoning is used in allowing for another, more famous, innovation, that of setting up a stylized sepulcher on the altar into which the cross might be placed after it was venerated on Good Friday. Æthelwold seems rather hesitant in introducing it: “if there are any to whom it seems good or find it pleasing to follow in a similar fashion certain religious [men] in a practice that might be imitated for the strengthening of the

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<sup>107</sup> Ibid., ch. 61, “[c]omperimus etiam in quorundam reli<gi>osorum aeclesiis quiddam fieri quod ad animarum compunctionem spiritualis rei indicium exorsum est” Both mss. have “reliosorum” for which I have accepted Symons’s correction.

<sup>108</sup> Ibid., “Qui, ut reor, aeclesiasticae compunctionis usus a catholicis ideo repertus est ut tenebrarum terror, qui tripertitum mundum dominica passione timore percudit insolito, ac apostolicae predicationis consolatio, quae uniuers[o] mund[o] Christum patri usque ad mortem pro generis humani salute oboedientem reuelauerat, manifestissime designetur. Haec ergo inserenda censuimus ut, si quiibus deuotionis gratia conplacuerint, habeant in his unde huius rei ignaros instruant. Qui autem noluerint, ad hoc agendum minime compellantur. Fa has “aeclesiastice,” and both manuscripts have “uniuersum mundum,” for which I have accepted Symons’s correction.



faith of the unlearned common persons and neophytes, we have decreed this only.”<sup>109</sup>

The practice was instrumental in the enactment of the *Quem queritis?* dialogue during the Easter Vigil, which appears shortly thereafter in the *RC*.<sup>110</sup> In the case of both of these permitted variations, Æthelwold appears to allow for, and perhaps even endorse, the innovations primarily due to their benefit to unlearned audiences, and this raises the question as to why he would have included them in a monastic customary.<sup>111</sup> Given his opinion of the level of observance in the Winchester minsters before his arrival, he may have considered the denizens of the many newly formed and reformed monasteries among such audiences. As has been seen, in the *EEoM* he indicates that his translation of the Old English translation of the *Rule* was produced and disseminated for similar purposes.<sup>112</sup>

If such were his concerns, his solution speaks to Æthelwold’s appreciation of a more general principle, one that is largely obscured by the emphasis on uniformity. Different foundations had different concerns, and no single document could anticipate all of them.

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<sup>109</sup> Ibid., ch. 74, “usum quorundam religiosorum imitabilem ad fidem indocti uulgi ac neofitorum corroborandum aequiperando sequi si ita cui uisum fuerit uel sibi taliter placuerit, hoc modo decreuimus.”

<sup>110</sup> Ibid., ch. 79. Interestingly, although the *deposition crucis* is integral to the performance of the *Quem Queritis?* drama, the enactment of the latter is not presented as optional. It is possible that such instruction was considered unnecessary. Ælfric included neither the Good Friday nor the Easter Vigil element of the *Quem Queritis?* drama in his *Letter*, see below, p. 228. See also G. B. Bryan *Ethelwold and Medieval Music-Drama at Winchester: The Easter Play, its Author and its Milieu* (Bern: Lang, 1981).

<sup>111</sup> *RC*, ch. 67, for a third, much less substantial, optional Holy Week practice. The fire that is brought in to the church on Thursday, Friday and Saturday shall be a lit candle borne in the mouth of a serpent-shaped staff, “si ita placuerit.”

<sup>112</sup> See above, p. 192.

The later history of the *RC* itself nicely illustrates this, as is shown by the survival of a fragmentary Old English version that had been modified for an audience of female religious at some stage in its transmission.<sup>113</sup> The tension between Æthelwold's ideal of a commitment to "one uniform observance" and his need to allow for the exigencies of the moment is nicely epitomized in two passages from the same section of the proem. He concludes the section by warning "let no one any further rashly presume to hold to any practice unless it has been approved by the Synodal Council and passed on with discretion, the mother of all virtues, by all Catholics."<sup>114</sup> A few lines earlier, however, he had conceded "if, however, from necessity a practice be added, something in any way beyond the common set of monastic observances, let it be conducted only until, with the help of Christ's grace, the business for which it was begun is resolved."<sup>115</sup>

The apparent paradox these two statements give rise to is only a problem if we confuse the reformers' means with their ends. For Æthelwold and his fellow ecclesiastics at Winchester, the end was a kingdom in which all monks were in conformity with Benedict's *Rule*. When possible, that meant uniform observance of their consuetudinary. Nevertheless they were realists enough to be aware that this was not always feasible, and even potentially counterproductive. The means to their end was, to borrow a phrase once

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<sup>113</sup> Cambridge, Corpus Christi College, 201. See Joyce Hill, "The *Regularis Concordia* and its Latin and Old English Reflexes" *Revue Bénédictine* 101 (1991): 299-315; and eadem "Rending the Garment and Reading by the Rood," in *The Liturgy of the Anglo-Saxon Church*, eds. Helen Gittos and M. Bradford Betingfield (Woodbridge: Boydell, 2005), 53-64, for this adaptation.

<sup>114</sup> *RC*, ch. 8, "nequamquam ulterius praesumptuose usu teneatur temerario nisi concilio sinodali electum traditumque cum discretione uirtutum omnium matre ab uniuersis fuerit catholicis."

<sup>115</sup> *Ibid*, "si autem pro qualibet necessitate quid extra communem regularis consuetudinis usum addendum fuerit, tamdiu agatur quoadusque negotium pro quo agitur Christi opitulante gratia melioretur."

used to describe the efforts of Gregory the Great, “diversity within unity.”<sup>116</sup> As has already been noted, the Synod of Winchester strove to emulate the “Apostle to the English,” by ensuring the admixture of continental customs and indigenous Anglo-Saxon ones in order to reestablish the English monastic tradition on the firmest possible footing.

In fact, Æthelwold is at pains to highlight his inclusion of longstanding insular customs in the *RC*. He instructs that all the bells ring at Nocturns and Vespers every day between the Feast of the Innocents and the Octave of Christmas “as is the practice the people of this land have kept. For we have decreed that the respectable customs pertaining to God of this land, the use of which we have learned from our forefathers, shall in no way be cast aside, but confirmed in all respects as we have said.”<sup>117</sup> Other practices, such as the lighting of candles during Matins in the same season, are also explained as local custom.<sup>118</sup> Chasubles were to be worn only during Lent and on Ember days, “as was the practice of our fathers before us.”<sup>119</sup> There is a tinge of pride to these references, one that serves to remind the reader that, whatever the recent state of Anglo-Saxon monasticism, it also embodied the rich heritage of Bede, Aldhelm and Alcuin.<sup>120</sup>

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<sup>116</sup> Paul Meyvaert, “Diversity within Unity: A Gregorian Theme” *Heythrop Journal* 4:2 (1963): 141-62.

<sup>117</sup> *RC*, ch. 50 “sicut in usum huius patriae indigenae tenent...nam honestos huius patriae mores ad deum pertinentes, quos ueterum usu didicimus, nullo modo abicere sed undique, uti diximus, corroborare decreuimus.”

<sup>118</sup> *Ibid.*

<sup>119</sup> *Ibid.*, ch. 58, “usu praecedentium partum.”

<sup>120</sup> Antonia Gransden, “Traditionalism and Continuity during the Last Century of Anglo-Saxon Monasticism” *Journal of Ecclesiastical History* 40 (1989): 159-207, suggests such sentiments were constant in the texts of the reform period.

Even in his acknowledgement of the different continental influences on the *RC*, Æthelwold is able to invoke the memory of Gregory the Great and Augustine's mission in a manner that might produce a similar effect.

Several points are suggested by this brief survey of the *RC*. Its production represented a second stage in the process of monastic rejuvenation, with the wicked clerks getting but a single, desultory mention. Edgar had not disappeared—far from it—but his role was different than it was in *EEoM* and the charters. The displays of force, laudable though they might have been, with which he was associated in the charters were replaced by an emphasis on consensus, and Edgar's function was more hortatory, urging the churchmen of his kingdom to come together. The product of their consensus is best described not as uniformity of practice, but, to use a term that was explored in the Introduction—a harmonization informed by the opinions of experts and the incorporation of traditions both old and new, foreign and indigenous.<sup>121</sup> It seems likely, however, that the intent was not only to harmonize the various strands of Benedictine practice that had been introduced, but also to simplify the transition for the large majority of foundations that had yet to be reformed and were not served by monks who had spent decades in the *opus dei*. On the other hand, it should be noted that the *RC* is largely silent on how the standards it set forth were to be monitored and the means by which potential lapses were to be adjudicated. The ecclesiastics may have assumed that this was an issue that could be addressed through the provisions already established by the *Rule* for enforcing

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<sup>121</sup> Although Symons elects *The Monastic Agreement*, the title *Regularis Concordia* could be translated as *The Monastic Harmonization*. Variants of “concord” appear four times in the poem of the *RC* (chs. 4, 8 [quoting the *Rule*], 9 and 14).

discipline.<sup>122</sup> These would not avail, however, if an entire house failed to observe the prescribed standards of devotional behavior.

### The *Regularis Concordia* after Winchester

The tenets of standardization, as they were presented in the Introduction of this study, emphasized the ongoing, evolutionary nature of standards. There is no reason not to expect such development in the standards established by the *RC*. Two very different texts, both written by pupils of Æthelwold, offer a chance to put this to the test. The first is an adaptation of the *RC* by Ælfric, likely made some thirty years later. The second, a short piece known as *De horis peculiaribus*, purportedly describes some supplementary offices instituted by Æthelwold himself.

### Ælfric

In or around 1005, Ælfric, newly appointed abbot of Eynsham Abbey, composed his *Letter to the Monks of Eynsham* (henceforth *Letter*).<sup>123</sup> From his opening, he makes clear he is not going to provide a complete text of the *RC*: “I am therefore pointing out in writing these few things from the book of monastic customs which St. Æthelwold of Winchester with his fellow bishops and abbots in the time of the very blessed Edgar, king of the English, compiled from all over and instituted for observance by monks, because

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<sup>122</sup> *Rule*, chs. 43-46.

<sup>123</sup> Christopher Jones, “The Eynsham ‘Letter’ and the Study of Ælfric,” in *Ælfric of Eynsham, Ælfric’s Letter to the Monks at Eynsham*, ed. and trans. Christopher Jones, (Cambridge: University Press, 1998), 1-17, surveys the range of opinions about the possible date of the *Letter*’s composition and briefly outlines Ælfric’s career. The text survives in a single manuscript, Cambridge, Corpus Christi College, 265 (p. 237-68). Ker, *Catalogue*, no. 53, dates the pages bearing the *Letter* to the second half of the eleventh century.

until now, this aforesaid little book has been unknown to your fraternity.”<sup>124</sup> He also admits to some hesitation in doing so, suggesting that the newly professed monks might be taken aback by the rigors prescribed by the *RC*: “nor do I dare to describe to you all those things which I learned concerning customs and traditions while dwelling many years in his [i.e., Æthelwold’s] school, lest by chance you feel an aversion to so strict an observance.”<sup>125</sup> Two implications that may be drawn from these comments are that Ælfric is proud of his Winchester background and his connection to Æthelwold and that Ælfric wishes to present himself to his monks as less demanding than his own teacher. In this way, he justifies the substantial differences between the *RC* and his own *Letter*. A full comparison of the two texts is outside the scope of this study. Instead, the following is limited to 1) the way in which Ælfric acknowledges his sources 2) his treatment of the *RC* in some of the key passages in which the earlier document introduced changes 3) the rationale he provides when he admits to introducing changes of his own.

Unlike Æthelwold, Ælfric intrudes substantial paraphrases into his *Letter*, all from a single source, the *Liber officialis* of Amalarius of Metz (c.770-852).<sup>126</sup> He offers little explanation to the reader for his use of Amalarius, simply telling his monks in the opening of his *Letter*, “[I am] including also some things from the book of the priest

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<sup>124</sup> Ælfric of Eynsham, “Letter to the Monks at Eynsham,” in *Ælfric’s Letter to the Monks at Eynsham* ed. and trans. Christopher Jones (Cambridge: University Press, 1998), ch. 1, “Ideoque haec pauca de libro consuetudinum quem sanctus Aðelwoldus Wintoniensis episcopus cum coepiscopis et abbatibus tempore Eadgari felicissimi regis Anglorum undique collegit ac monachis instituit obseruandum, scriptitando demonstro, eo quod hactenus predictus libellus uestrae fraternitati incognitus habetur.”

<sup>125</sup> Ibid., “sed nec audeo omnia uobis intimare, quae in scola eius degens multis annis de moribus seu consuetudinibus didici, ne forte fastidientes distractionem tante obseruantiae.”

<sup>126</sup> Christopher Jones, “Structure and Sources,” in *Ælfric’s Letter*, 60-68.

Amalarius.”<sup>127</sup> When employing the (often quite lengthy) paraphrases from the *Liber officialis* in the body of his text, he simply prefaces them with Amalarius’s name.<sup>128</sup>

The three variant Holy Week practices that are made optional in the *RC* are each treated differently in Ælfric’s *Letter*. The pairs of children singing the *Kyrie eleison* at the end of the night offices on Thursday, Friday and Saturday are presented without the explanation provided by Æthelwold, and there is no option not to include this particular embellishment.<sup>129</sup> Conversely, he does not even mention the Good Friday *depositio crucis* (or, for that matter, the subsequent *Quem Queritis?* drama).<sup>130</sup> Finally, he repeats the “if it pleases” used by the *RC* when discussing the use of the serpent-shaped stick which is used to bring light into the church.<sup>131</sup>

Ælfric acknowledges two innovations in his *Letter*. Departing from the standard set by both the *Rule* and the *RC*, he eliminates the prescribed interval between Nocturns and Lauds on summer nights, saying “but we who dwell in Britain have briefer summer nights than the Beneventans.”<sup>132</sup> He strikes a very different tone, however, when speaking of another change, one he had apparently already broached with his *familia*: “I further wish you to know, dearest brothers, how strongly pleasing it is to me that, for

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<sup>127</sup> Ælfric, “Letter to the Monks,” ch. 1, “addens etiam aliqua de libro Amalarii presbiteri.”

<sup>128</sup> E.g., *ibid.*, chs. 31, 37 and 43.

<sup>129</sup> *Ibid.*, ch. 33.

<sup>130</sup> Jones, “Structure and Sources,” 39-40.

<sup>131</sup> Ælfric, “Letter to the Monks,” ch. 37, explicitly citing the *RC*: “Consuetudo dicit ut, si ita placuerit.”

<sup>132</sup> *Ibid.*, ch. 57, “sed nos in Bryttannia degentes, breuiiores noctes habentes estate Beneuentanis.”

years now, you have obediently consented to me in this, that we have kept three readings, with the same number of responses, for all of the summer Nocturns, just as in winter.”<sup>133</sup>

For Ælfric, this seems to have been an instance of raising the standard of observance from that fixed by the *Rule* and maintained by the *RC*.

### *De horis peculiaribus*

A more specific example of change and evolution of the standards established in the *RC* can be found in a short text entitled *De horis peculiaribus*, which appears to refer to practice at the Old Minster, Winchester, and was likely written in the generation after Æthelwold’s death.<sup>134</sup> This piece tells how Æthelwold instituted three regular offices of his own devising, which he set into three *cursus* for private observance and urged upon his followers. The three supplementary offices are described, but not included. The first is for the Virgin Mary, the second for Peter and Paul “and all those present who attended upon the incarnation of our Savior,” and the third for All Saints.<sup>135</sup> Insofar as each represents possible further additions to the standards of observance set in the *RC*, they need to be examined separately.<sup>136</sup>

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<sup>133</sup> Ibid., ch. 80, “Volo etiam uos scire, fratres karissimi, ualde gratum mihi fore quod obedienter mihi consensistis in hoc, ut tres lectiones cum totidem responsoriis tota aestate ad nocturnas sicut hieme iam preteritis annis tenuimus.”

<sup>134</sup> Lapidge, “Introduction,” xxiii-xxvii and lxviii, prints the text in full and explores the possibility that Æthelwold’s hagiographer, Wulfstan, was its composer. For discussion of the Alençon manuscript to which it is unique and the Æthelwoldian material of which it is a part, see below, pp. 240-41.

<sup>135</sup> Ibid., lxviii, “omniumque nostri saluatoris humanitati presentialiter famulantium.”

<sup>136</sup> Billett, *The Divine Office*, 171-72, suggest that as these offices were designed for those monks directly subject to Æthelwold, (“subiectis”) they predate the *RC*. This reasoning is difficult to follow, as, if Æthelwold deemed these devotions to be beneficial for his own monks, there is no



The office for All Saints seems least problematic. The *RC* refers to both a Matins and a Vespers for All Saints, although it also fails to reproduce these offices.<sup>137</sup> A mid-eleventh century manuscript that contains an office with the rubric “DE OMNIBVS SANCTIS AD VESPERAM” has strong Æthelwold associations.<sup>138</sup> Although not definitive, the most economical solution is to conclude that this office is the one referred to in both *De horis* and the *RC*. If that is the case, the prescription for an office for All Saints in *De horis* should be understood as emphasizing the standard set in the *RC*.

The *RC* makes no reference to an office for Peter and Paul. On several occasions, however, it indicates times at which regulars should direct some sort of veneration to the saint(s) to whom their church is dedicated.<sup>139</sup> Since Peter and Paul are, in fact, the patron saints of the Old Minster, it is reasonable to surmise that Æthelwold considered them worthy of special attention from his *familia* but not from all monks throughout England. The mention of an office to Peter and Paul in *De horis peculiaribus* might best be seen,

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obvious reason why he would not have included them in the *RC*, so that they might benefit all English monks.

<sup>137</sup> *RC*, chs. 21, 34, 85. See Thomas Symons, “Monastic Observance in the Tenth Century I: The Offices of All Saints and the Dead” *Downside Review* 50 (1932): 449-64, and 51 (1932): 137-52, for a thorough discussion of the observance of and possible origins for this Office of All Saints.

<sup>138</sup> Lapidge, “Introduction,” lxxv-lxxvii. The ms. is London, British Library, Cotton Tiberius A. iii. The only saints listed in this office that were not the subject of general veneration were SS. Swithun and Birinus, both claimed by the Old Minster; Iudoc, by the New Minster; and Æthelthryth, by Ely. The inclusion of Swithun, translated in 971, and the absence of Æthelwold suggests a narrow window of composition and argues for the latter as author.

<sup>139</sup> *RC*, ch. 21 (antiphon to the patron saint, or, if there is none, to the dedication of that church, and an antiphon to the saint to whom the chapel they are bound for the performance of the matins of All Saints is dedicated); ch. 54 (antiphon, collect); ch. 59 (antiphon, the psalm *Ad te leui oculos*, preces and oratio); ch. 60 (oratio).

then, as an elaboration of an existing standard, one that takes into account the particular circumstances of the house for which it was produced, rather than an innovation.

The *RC* also has no indication of an office for the Virgin, but it does prescribe an antiphon be sung to her after Lauds and Vespers.<sup>140</sup> It also stipulates that the principle Saturday Mass be for her, unless the day should be a feast.<sup>141</sup> The creation of a general office would be a further development of such devotions. Evidence of such an office can be found in an early eleventh-century prayer-book from New Minster, and the mention within one of the prayers to Mary in this office of a petition on the king's behalf might also betray Æthelwold's handiwork.<sup>142</sup> The development of the full-fledged *Horae de Beata Maria Virgine*, which had spread throughout much of England by the end of the Anglo-Saxon period, can also be traced back to the late tenth-century reform movement, and particularly to texts originating at Winchester.<sup>143</sup> Æthelwold's creation and promotion of her office is thus a development of the practices set down in the *RC* and, more generally, an evolution of Marian devotion in England. (Abingdon's dedication to Mary may have been a factor in instilling in Æthelwold a particular devotion to her.) The

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<sup>140</sup> Ibid., ch. 21. Interestingly, this immediately precedes an antiphon sung to the patron saint of the church.

<sup>141</sup> Ibid., ch. 31. Mary Clayton, *The Cult of the Virgin Mary in Anglo-Saxon England* (Cambridge: University Press, 1990), 62-63, notes that this is the first record of such a Mass in Anglo-Saxon England.

<sup>142</sup> Lapidge, "Introduction," lxix-lxxv, also cites graecisms in the prayers which appear distinctly Æthelwoldian. The ms. is London, British Library, Cotton Titus D. xxvi + xxvii, with the office appearing in the second part, ff. 81v-85r.

<sup>143</sup> Clayton, *The Cult of the Virgin Mary* suggests that the Marian Office in England developed out of private devotions such as those Æthelwold is said to have created for himself and encouraged his monks to adopt.

observances prescribed in *De horis peculiaribus* and Ælfric's *Letter* usefully help situate the *RC* not as a starting point, from which standards might evolve, but as a work that captures one moment in time in an ongoing evolution of monastic standards.

### **Posthumous Material on Æthelwold**

#### **Winchester**

As was suggested in the discussion of Ælfric's restyling of the *RC*, texts produced after Æthelwold's death can, at a minimum, shed some light on how others chose to memorialize him and his approach to reform. The degree to which such depictions accurately reflect their subject's views of himself and his methods is, of course, much more difficult to determine. It can be safely assumed that those who were closest to him had the best opportunity to present a faithful portrayal. Unsurprisingly then, most information on Æthelwold derives either from monastic communities with which he was closely associated (Abingdon, Old Minster and New Minster) or from his students. Ælfric's role in adapting the *RC* has already been reviewed. The works of another of Æthelwold's celebrated pupils, the monk Wulfstan 'Cantor'—so-styled by modern scholars because of his function as precentor at Old Minster—may represent an even purer channeling of his teacher's ideas.<sup>144</sup> In their edition of Wulfstan's *vita* of Æthelwold, Michael Lapidge and Michael Winterbottom postulate that the bishop had selected Wulfstan as his hagiographer before his death.<sup>145</sup> If this notion is accepted, then

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<sup>144</sup> Lapidge, "Introduction," xiii-xxxviii, summarizes what is known of Wulfstan's career and output.

<sup>145</sup> *Ibid.*, c-ci. Briefly, the argument, which is conceded not to be conclusive, centers on Wulfstan's role in the *vita*. Wulfstan figures prominently in the miraculous events that lead to the saint's translation. Additionally, through the text, he indicates that Æthelwold had revealed to him

Wulfstan, as the bishop's amanuensis, is of particular importance in reconstructing Æthelwold's methods.<sup>146</sup> Even without such a bond, the *vita* was produced at a place and at a time in which memories of Æthelwold would have been relatively fresh.<sup>147</sup>

Setting aside the biographical and miraculous, the details of the *vita* that are most pertinent to this study involve Æthelwold's search for correct monastic practice and his desire to institute and transmit such practice throughout England while rooting out that which he saw as corrupt. In recounting Æthelwold's first experience of cloistered life, at Glastonbury during the abbacy of Dunstan, the *vita* emphasizes his love of learning in equal measure to his devotion to monastic routine. In the following chapter, during the reign of Eadred (946-55):

The man of God, Æthelwold, desiring to be taught yet greater understanding of the scriptures and to be more perfectly informed concerning the monastic way of life, decided to go overseas. But the venerable Queen Eadgifu, mother of the aforementioned king, prevented his attempts, giving counsel to the king not to allow a man of such excellence to leave his kingdom, asserting further that the wisdom of God

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intimate details of his early life and visions, suggesting the bishop was deliberately providing hagiographic *topoi* for a later work.

<sup>146</sup> This view obviously requires Wulfstan's hagiography to be an original work. There has been some scholarly debate on which of Æthelwold's *vitae*, Wulfstan Cantor's or Ælfric's, has precedence. The similarities in organization and language indicate that one was clearly the primary source for the other. For the purposes of this paper, Wulfstan's, which is far the lengthier and which contains much more unique detail, is assumed to have precedence. *Ibid.*, cxlvi-clv, 70-80, reviews the debate over which *vitae* is the earlier, compares the two, and prints Ælfric's.

<sup>147</sup> Wulfstan, "Vita S. Æthelwoldi," ch. 43, describes the translation of Æthelwold, for which it gives a date of September 10, 996. The *vita*'s completion obviously must postdate this event, but it need not have been finished long thereafter, and may well have been written to commemorate the translation, in which case both can be viewed as part of a campaign to establish Æthelwold's cult at Winchester.

in him was so great that he possessed enough for himself and others, even if he were not to go to foreign lands for this reason.<sup>148</sup>

Eadgifu was the third wife of King Edward the Elder and mother to Eadred. Her last appearance in any record is in 966, during the reign of her grandson, Edgar. We are not given any further information as to why she might have had any particular interest in the movements of Æthelwold, but she may have come to know him during the years he spent in the court of her stepson, Æthelstan. If the story has any validity, it shows the personal involvement of yet another member of the ruling family in Æthelwold's career.

Thwarted in his attempts to go abroad, Æthelwold was instead given control of the run-down monastic center of Abingdon by Eadred, where he intended to set monks who would serve God according to the *Rule*. Several monks followed him from Glastonbury and other locales. He sent one of the former Glastonbury monks, Osgar, "overseas to the monastery of the holy father Benedict at Fleury so that he might learn there the manner of observance of the *Rule* and show it to his brothers when teaching them at home. Thus he himself might follow the dictates of monastic behavior and, together with all his charges, spurning every detour, might lead the flock with which he had been entrusted to the promised land in the kingdom of heaven."<sup>149</sup>

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<sup>148</sup> Ibid., ch. 10, "uir Domini Ætheluuoldus, adhuc cupiens ampliori scripturarum scientia doceri et monastica religione perfectius informari, decreuit ultramarinas adire partes. Sed uenerabilis regina Eadgifu, mater regis memorati, praeuenit eius conamina, dans consilium regi ne talem uirum sineret egredi de regno suo, insuper asserens tantam in eo fuisse Dei sapientiam quae et sibi et aliis sufficere posset quamuis ad alienae patriae fines ob hanc causam minime tenderet."

<sup>149</sup> Ibid., ch. 14, "trans mare ad monasterium sancti patris Benedicti Floriacense, ut regularis obseruantiae mores illic disceret ac domi fratribus docendo ostenderet, quatinus ipse normam monasticae religionis secutus et una cum sibi subiectis deuia quaeque declinans gregem sibi commissum ad promissam caelestis regni perduceret patriam."

Once Æthelwold had developed a monastic regimen that he deemed acceptable for his own monks, he moved to replicate it throughout the kingdom. Whatever indigenous practices were in place at the time were evidently so lax or heterodox that to the mind of reformed Benedictines such as Æthelwold and his pupils, they could scarcely be considered monastic at all. Remarking upon his teacher's elevation to the see of Winchester in 963, Wulfstan, in a sentiment reminiscent of that found in *EEoM*, claims that "until then, there had been no monks in the land of the English at that time, except for those staying in Glastonbury and Abingdon."<sup>150</sup> Instead, the Old and New Minsters at Winchester were occupied by canons.

Wulfstan's *vita* is largely of a piece with what the charters and *EEoM* have to say about the original occupants of these centers. They are described as wicked, continually given to gluttony and drunkenness and free in marriage and divorce to a degree that some did not even celebrate Mass.<sup>151</sup> Æthelwold found their behavior unbearable and expelled them. We are told that the envy of the disgraced clerics of Old Minster caused them to

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<sup>150</sup> Ibid., ch. 18, "Nam hactenus ea tempestate non habebantur monachi in gente Anglorum nisi tantum qui in Glastonia morabantur et Abbandonia. "

<sup>151</sup> Ibid., ch. 30, "to such a degree that some of them disdained to celebrate masses in their turn" "(adeo ut nonnulli illorum dedignarentur missas suo ordine celebrare.") The wickedness of the canons, as seen from the perspective of the reformers, has been noted several times in this chapter. Barrow, "The Ideology of the Tenth-Century 'Reform,'" 150-53, suggests that the root cause of this wickedness was their married state, which made them impure and unfit for divine service. While the marriages and divorces of the canons (and the implications of these for their chastity) are certainly mentioned, so are other sources of scandal, such as their ostentatious dining habits, which, as we have seen, Æthelwold is particularly careful to warn monks about. I would argue that all of these sins of commission were of less concern than the canons' sin of omission; the failure to keep canonical hours and celebrate mass—for whatever reason—is the proximate cause for their expulsion. In the New Minster foundation charter, this failure renders them useless to Edgar. Presumably, it has the same effect for all those in need of pastoral and sacramental care. If the canons could provide no benefit, they needed to be replaced with others who could.

attempt to poison the new bishop, but he found healing in the truth of Christ's promise and survived.<sup>152</sup>

For both the Old and New minsters, the *vita* is also careful to indicate that Æthelwold acted with King Edgar's assent.<sup>153</sup> Throughout the text, Wulfstan echoes the high praise that his teacher had given the king, earlier attesting to the "reign of the glorious King Edgar, the distinguished and most merciful, powerful and unconquerable son of King Edmund."<sup>154</sup> In the case of the Old Minster, Edgar is said to have sent one of his officials, Wulfstan of Dalham to aid in the evictions. The agent, with "royal authority" ordered the canons to either give way to the monks without delay or to take up the habit of the monastic order.<sup>155</sup> The close connection between king and bishop, already indicated in other sources, is confirmed here with the statement that "the man of God, Æthelwold, was an intimate of the renowned king."<sup>156</sup>

Wulfstan tells how Æthelwold moved promptly to fill the vacated centers with monks, while also founding new houses throughout England. The *vita* establishes the legitimacy of these monasteries by scrupulously identifying their direct connection with Æthelwold. Of Old Minster, Wulfstan writes "he placed there monks brought from

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<sup>152</sup> Ibid., ch. 19.

<sup>153</sup> Ibid., chs. 16 and 20, "data licentia a rege Eadgaro," "annuente rege Eadgaro."

<sup>154</sup> Ibid., ch. 13, "regnante glorioso rege Eadgaro, insigni et clementissimo, praepotente ac inuictissimo regis Eadmundi filio."

<sup>155</sup> Ibid., ch. 18, "regia auctoritate."

<sup>156</sup> Ibid., ch. 25, "Erat autem uir Dei Ætheluuoldus a secretis Eadgari incliti regis."

Abingdon to whom he became both abbot and bishop;”<sup>157</sup> in New Minster “he introduced there monks living according to the *Rule* and ordaining as their abbot his student Æthelgar;”<sup>158</sup> of Ely “in it he placed a substantial group of monks for whom he ordained his prior Byrthnoth as abbot;”<sup>159</sup> at Peterborough “in a similar fashion [to Ely] he brought together a cluster of monks, setting his monk Ealdwulf as abbot;”<sup>160</sup> Thorney was “made completely suitable for the monks to whom he entrusted it in a similar agreement, placing Godemann over them as ruler and abbot;”<sup>161</sup> in the convent at Nunnaminster “he placed droves of nuns, setting over them as mother Æthelthryth, of whom we spoke briefly earlier. Here the patterns of life following the *Rule* are observed to this day;”<sup>162</sup> and, with regard to Abingdon, Wulfstan mentions that Æthelwold selected Osgar as his replacement upon his move Winchester. Beyond these particular houses, the *vita* contains a more sweeping statement concerning Æthelwold’s activities:

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<sup>157</sup> Ibid., ch. 16, “adducens monachos de Abbandonia locauit illic, quibus ipse abbas et episcopus extitit.”

<sup>158</sup> Ibid., ch. 20, “illucque monachos introduxit regulariter conuersantes, ordinans illis abbatem discipulum suum Æthelgarum.”

<sup>159</sup> Ibid., ch. 23, “constituens in eo monachorum gregem non minimum. Quibus ordinauit abbatem Byrhtnodum praepositum suum

<sup>160</sup> Ibid., ch. 24, “simili modo cateruam monachorum coadunauit, Ealdulfum eis praeficiens abbatem monachum suum.”

<sup>161</sup> Ibid., “quem pari conditione monachis aptissimum delegauit, rectorem illis et abbatam Godemannum praeponens.”

<sup>162</sup> Ibid., ch. 22, “mandras sanctimonialium ordinauit, quibus matrem de qua superius paululum tetigimus Æthelthrytham praefecit, ubi regularis uitae norma hactenus obseruatur.” The only Æthelthryth discussed earlier in the *vita* appears in ch. 2, when Æthelwold’s mother, while pregnant, consults with a woman of that name about a dream. That Æthelthryth is described as “moribus et aetate maturam” at that point, so it is unlikely the two are the same. On the other hand, the earlier Æthelthryth is also identified as “in praefata urbe [Winchester] nutrix...Deo deuotarum uirginum,” which suggests some identity with the one under discussion here.



That Many Other Monasteries Were Built by Dunstan and Æthelwold:  
 And so it happened, with the consent of the king, that by Dunstan's  
 council and action and Æthelwold's constant aid, monasteries were  
 established everywhere throughout the land of the English, some for  
 monks and some for nuns, under abbots and abbesses living by the *Rule*.  
 And the servant of Christ, Æthelwold, circulated around the individual  
 monasteries, instituting customs, urging the obedient that they might move  
 forward in the good, flogging the foolish so that they would depart from  
 the evil.<sup>163</sup>

This description offers a rare glimpse of Æthelwold's participation in the enforcement, as opposed to the creation, of standards, something about which the *RC* was conspicuously silent. The constant visitation that is described would be of a piece with his duties as a bishop, but many of his foundations were outside of his diocesan boundaries. It shows an awareness on his part that the mere setting of standards is insufficient without their being monitored. One would, of course, wish to know more about the *mores instituens*—the topics they addressed, their level of detail and the degree to which they varied from locale to locale. The *RC* itself is conspicuously absent in this passage, as it is throughout the text (except when the *vita* mentions a day when “the monks, following the edict of the *Rule*, ‘rose earlier for Vigils,’” quoting both the *Rule*

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<sup>163</sup> Ibid., ch. 27, “QVOD ALIA MVLTÀ PER DVNSTANVM ET ÆTHELWOLDVM CONSTRVCTA SINT COENOBIA. Sicque factum est, consentiente rege, ut partim Dunstani consilio et actione, partim Æthelwoldi sedula cooperatione, monasteria ubique in gente Anglorum, quaedam monachis, quaedam sanctimonialibus, constituerentur sub abbatibus et abbatissis regulariter uiuentibus. Circumuiuitque famulus Christi Æthelwoldus singula monasteria, mores instituens oboedientes ut in bono proficerent uerbis ammonendo et stultos ut a malo discederent uerberibus corrigendo.” The capitulum for this and all the other chapters is found in some, but not all, extant manuscripts of the *vita*. Lapidge, “Introduction,” clxxxvi-clxxxvii, believes them to have been a part of Wulfstan's original composition.

and *RC*).<sup>164</sup> Nonetheless, the portrait that emerges is of a very hands-on administrator—quite literally so, if the description of him administering correction with a whip is to be taken at face value—with a deep concern for the adherence to standards.

The passage also calls into question the autonomy exercised by these houses. The *vita* has already established that Æthelwold selected their abbots. He also appears to have been a regular visitor, setting rules and attending to discipline. Does this indicate that Byrthnoth, Godemann and the rest were actually acting as abbots *vice* Æthelwold, who was, in a real sense, the true ruler of each house? A further indication to this effect is given in a dream the *vita* attributes to Dunstan when he and Æthelwold were both at Glastonbury. He saw a large tree, the branches of which were burdened with cowls, with a very large one hung at the top, overshadowing the others and touching heaven itself. He was told that the tree represented the island, the large cowl Æthelwold, and the rest “designated the many monks who are to be instructed by his learning and gathered from all over to this region for the service of Almighty God.”<sup>165</sup> Taken literally, this suggests that all the monks in his foundations were his charges, taught by him. Independence, as has already been suggested in the *RC* and *EEoM*, would appear to have had little to recommend itself to Æthelwold; independence led to strange practices and decadent canons.

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<sup>164</sup> Wulfstan., “Vita S. Æthelwoldi,” ch. 35, “fratres secundum regulae edictum *temperius ad uigilias surgerent*.” Cf. *RC*, ch. 41; the italicized portion is derived from ch. 11 of the *Rule*.

<sup>165</sup> Wulfstan., “Vita S. Æthelwoldi,” ch. 38, “multitudinem designant monachorum qui eius eruditione sunt instruendi et undique in hac regione ad omnipotentis Dei seruitium congregandi.”

Wulfstan's is the only original *vita* of Æthelwold. Ælfric's condensation of that work provides no new material, and other hagiographers of the period apparently deemed the subject to be adequately covered—in his *vita* of St. Oswald, Byrhtferth of Ramsey remarks that Edgar had been instructed by Æthelwold, and that the bishop, as a chief advisor, had urged the king to expel the clerks and hand the monasteries over to monks, but declines to elaborate, saying "I shall leave his [i.e. Æthelwold's] blessed deeds, which have been described clearly enough, for his men; let us follow what we have begun."<sup>166</sup> There are, however, other elements to saintmaking than hagiography. It's unclear how widely Æthelwold's cult spread beyond those monasteries with which he had a direct connection, but the houses that did memorialize him would require a substantial amount of liturgical material, including collects, hymns, lections, tropes and mass-sets for both his deposition and his translation, celebrated on August 1 and September 10, respectively, and, as with Wulfstan's *vita*, they have the potential to speak to how Æthelwold's efforts were remembered.<sup>167</sup>

A twelfth-century manuscript, Alençon Bibliothèque municipale 14, is a trove of such material. The manuscript is in the hand of Orderic Vitalis, and it contains much pertaining to Æthelwold, including everything necessary for the performance of the offices of both of the saint's feasts as well as a copy of Wulfstan's *vita*.<sup>168</sup> It also includes *De horis peculiaribus*, the short text already discussed in connection with the *RC*, which

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<sup>166</sup> Byrhtferth, "Vita. S. Oswaldi," 76-78, "Relinquam ergo sua beata gesta suis, que satis lucide descripta sunt; nos uero cepta persequamur."

<sup>167</sup> Lapidge, "Introduction," cxii-clxiii, concludes his veneration is rather localized.

<sup>168</sup> *Ibid.*, xxiii-xxvii. There are no lections provided, but they could, of course, be taken from the *vita*.

tells how “our blessed father Æthelwold instituted regular offices, unique to himself, for individual observance...and with the most humble diligence urged on those subjected to him that with this private service they should vigilantly resist the burning temptations of Satan.”<sup>169</sup> After the block of Æthelwoldian material, the manuscript moves on to hymns for SS. Birinus and Swithun. The juxtaposition of the reference to monks *quosque subiectos* to Æthelwold and material on three saints, each claimed by the Old Minster, strongly suggest it as the origin for Orderic’s exemplar(s).

A prayer (with the rubric ORATIO) from this manuscript deserves to be quoted in full for the assertions it makes about Æthelwold’s legacy. “O God, who with the illumination of the bright star St. Æthelwold, the bishop, has given a new light to shine this day on the people of the English, we humbly implore your mercy so that we might be informed by the example and aided by the patronage of him from whose teaching we came to know the pattern of all religious practice.”<sup>170</sup> These claims, that the saint’s efforts benefited not just the Old Minster monks, but the English as a whole, and that those efforts provided the totality of their religious observance, are broad but accord with those expressed in the *vita*. The prayer’s position in the Alençon manuscript implies that it was a collect for First Vespers on Æthelwold’s deposition, but the dissemination of this prayer to other Anglo-Saxon books—namely a Worcester collectar, a Canterbury sacramentary, a missal

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<sup>169</sup> Ibid., lxviii, “beatus pater Adeluoldus horas regulares et peculiares sibi ad singulare seruitium instituit...humillima diligentia quosque subiectos ammonens ut hoc secreto famulatu ignites sathane temptamentis uigilanter resisterent.”

<sup>170</sup> Ibid. cxv, “Deus qui preclari sideris sancti pontificis Adeluoldi illustratione nouam populis Anglorum tribuisti lucem hodierna die clarescere, tuam suppliciter imploramus clementiam, ut cuius magisterio totius religionis documenta cognouimus, illius et exemplis informemur et patrociniis adiuuemur.”

for New Minster and even a private prayer-book—without the accompanying liturgical material necessary to celebrate the office of the saint’s feasts, suggests that a more general memorialization extended beyond the centers in which he was systematically cultivated.<sup>171</sup>

Finally, elements of two sequences for Æthelwold in the manuscripts commonly known as the Winchester Tropers, while somewhat vague, complement the material reviewed thus far.<sup>172</sup> The first, found in only one of the manuscripts, speaks of the saint “whom the land of the English honors...who as bishop taught the English to climb the high palaces of heaven by his brilliant example.”<sup>173</sup> In the other, a couplet establishes a clear contrast between the monks and the clerics whom they replaced. “Clerics whose life was perverse, he drives away from the church; Monks whose holiness was great he collects to its service.”<sup>174</sup> This second sequence borrows heavily from Wulfstan’s *vita* and, as precentor of Old Minster, he may have authored it.

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<sup>171</sup> Ibid., cxx-cxxiii. The mss. in question are, respectively, Cambridge, Christ Church College 391, the ‘Portiforium of St. Wulfstan; London, British Library, Cotton Galba A. xiv; Le Havre, Bibliothèque municipale 330, the ‘New Minster Missal;’ and Rouen, Bibliothèque municipale, 274 (Y. 6), the ‘Missal of Robert of Jumièges.’

<sup>172</sup> *The Winchester Troper: From Mss. of the X<sup>th</sup> and XI<sup>th</sup> Centuries*, ed. Walter Howard Frere, (London: Henry Bradshaw Society, 1894). The two mss. are Cambridge, Corpus Christi College 473 and Oxford, Bodleian Library, Bodley 775.

<sup>173</sup> Lapidge, “Introduction,” cxxvii, “Quem Anglica/honorat patria... Qui praesul excelsa/docuit Anglos/caeli scandere palatium/sua per exempla lucida.” The sequence is unique to Bodley 775.

<sup>174</sup> Ibid., cxxix, “Clericos, quorum peruersa/erat uita/pellit ab ecclesia//Monachos, quorum sanctitas/magna erat/seruituros adgregat.” The metrical opposition established between the two groups is striking.

## Abingdon

Some of Æthelwold's earliest standardizing activities, coinciding with his tenure as abbot of Abingdon, are attested to only in a very late record, the *Historia Ecclesie Abendonensis*. This work comes to us in two versions, each represented by a single extant manuscript. The first was compiled sometime in the mid-twelfth century, while the second version, a thoroughgoing revision of the first, likely dates to the first half of the following century.<sup>175</sup> Structurally they are similar insofar as each is primarily a collection of charters relating to land purportedly held by Abingdon, connected by a narrative thread.<sup>176</sup> For their information about Æthelwold, each is heavily reliant upon Wulfstan's *vita*, although they use it in different ways, the earlier redrafting Wulfstan's prose, the later reproducing it verbatim or with slight rewording. Each, however, adds new information that testifies to Æthelwold's interest in instituting standards for the monastic life.

In discussing Æthelwold's early activity at the monastery, the first version of the Abingdon *History* contains the following lengthy passage:

In order to follow the stricter path of life, men of God from diverse parts of England, instructed in many different ways of reading and singing, having heard of the holiness of Æthelwold, came to him and were received. Wishing them to sing to God in church with a harmonious voice, from the monastery in Corbie (which is situated in France, with a very

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<sup>175</sup> *Historia Ecclesie Abendonensis*, ed. and trans. John Hudson 2 vols. (Oxford: Clarendon, 2002-7), 1: xv-lv, discusses various possible dates for each version, and presents a stylistic comparison of the two.

<sup>176</sup> *Ibid.*, 1: lxxi, lxxvii, estimates that during the abbacy of Æthelwold, narrative makes up 16% and <10% of, respectively, the earlier and later versions, yet there is far more narrative material for him than any other pre-Conquest abbot.

high degree of ecclesiastic discipline at that time) he invited the most skilled men, whom his own might imitate in reading and psalmody.<sup>177</sup>

The origin of this tradition is unknown, and no *troper*, *gradual* or other music-book survives from Æthelwold's Abingdon to offer any guidance.<sup>178</sup> In the text, it immediately follows a paraphrased version of Wulfstan's story of how the abbot dispatched his monk, Osgar, to Fleury to learn how Benedict's *Rule* was followed in that community, and the similarity between the two may have recalled the Corbie tale to the composer's mind. His reworking of the first episode heightens the similarities. It tells how Æthelwold "deemed that his monks could not follow the practice of the religious life of anyone better than the monastery at Fleury, adorned with the relics of St. Benedict," emphasizing the unique expertise that could be drawn upon at Fleury.<sup>179</sup> The Corbie story may be of similar antiquity; even if it is apocryphal, its inclusion in the Abingdon *History* shows an association of Æthelwold with issues that we have seen consistently occupying him in his search for a standardized monastic practice: the need to harmonize a variety of conflicting indigenous traditions and a willingness to go to great lengths in order to

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<sup>177</sup> Ibid., 1:54-56, "Vt districtioris autem uite tramitem, cum e diuersis Anglie partibus uiri Dei, audita Æthelwoldi sanctitate, plurimi differenti more legendi canendique instituti, ad eum conuenirent atque reciperentur, uolens eos in ecclesia consona Deo uoce iubilare, ex Corbiensi cenobio (quod in Francia situm est, ecclesiastica ea tempestate disciplina opinatissimo) uiros accersiit sollertissimos, quos in legendo psallendoque sui imitarentur."

<sup>178</sup> See K. D. Hartzell "Graduals" and E. C. Teviotdale "Tropers" in *The Liturgical Books of Anglo-Saxon England*, ed. Richard Pfaff (Kalamazoo: Richard Rawlinson Center for Anglo-Saxon Studies, 1995), 35-38 and 39-44.

<sup>179</sup> *Historia Ecclesie Abendonensis.*, 1:54, "Religionis morem sanctus pater nequaquam ab aliis melius ratus suos exequi quam a Floriaco monasterio, sancti Benedicti reliquiis decorato." The later version of the Abingdon history, which simply copies the story of Osgar and Fleury from Wulfstan *vita*, is silent on Corbie, *ibid.*, 1:336-38.

secure the aid of the most unimpeachable experts available—the expertise of the Corbie chanters is emphasized by the dual superlatives, “opinatissimo” and “sollertissimos.” Indeed, how else can the dispatch of Osgar to Fleury be interpreted but as a similar attempt to enlist expertise? Who could be better qualified to authoritatively interpret the *Rule* of St. Benedict than the members of the community that claimed possession of his mortal remains?<sup>180</sup> The same reasoning may account for the statement in the late-twelfth or early-thirteenth century tract *De Abbatibus Abbendonæ* that Æthelwold also “made the *Rule* of St. Benedict come from the monastery at Fleury.”<sup>181</sup>

(Given these attested connections between Æthelwold and Fleury-sur-Loire, the consonance of the Bishop of Winchester’s views, as explored in this chapter, and that of his celebrated contemporary Abbo, Abbot of Fleury [988-1004], is intriguing. Abbo had experience of England; he may have been one of Fleury’s representatives at the Synod of Winchester, and it is certain that, while schoolmaster of Fleury, he spent a couple of years at the East Anglian foundation of Ramsey in the mid-980s. On the primacy of the

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<sup>180</sup> John Nightingale, “Oswald, Fleury and Continental Reform” in Brooks and Cubitt, *St. Oswald of Worcester*, 28-33, develops this argument at greater length, claiming that, although the link to Fleury was more significant to reformers such as Oswald, who had actually travelled there, than Æthelwold and others who drew on its expertise from a distance and by proxy, their motivations were the same: “To put it simply, they went to Fleury because St. Benedict was there,” *ibid.*, 28. See also Dom Jean-Marie Berland, “L’Influence de L’Abbaye de Fleury-Sur-Loire en Bretagne et dans les Iles Britanniques du X<sup>e</sup> au XII<sup>e</sup> Siècle,” in *107<sup>e</sup> Congrès national des Sociétés savants, Brest, 1982, Section de philology et d’histoire jusqu’à 1610* Vol. 2: (Paris: Ministère de l’éducation nationale, Comité des travaux historiques et scientifiques, 1984), 282-95.

<sup>181</sup> *Chronicon Monasterii de Abingdon*, ed. Joseph Stevenson 2 vols. (London: Longman, 1855), 2:278: “Fecit etiam venire regulam Sancti Benedicti a Floriaco monasterio.” That the author here is referring to a copy of the *Rule* and not monastic practices imported from Fleury is apparent from the surrounding text, which catalogs other physical elements procured or constructed by Æthelwold. *Ibid.*, 2:267-95 contains the full text of *De Abbatibus Abbendonæ*; for discussion of its dating, see Hudson, *Historia*, lvi-lvii.



monastic order, on the need to guarantee that primacy through the vigilant enforcement of monastic discipline, on the necessity for the independence of monks and their patrimonies from secular-both lay and ecclesiastic-control and on the special role of the king in safeguarding this independence, Abbo and Æthelwold seem essentially to be of one mind.<sup>182</sup>)

In its final remarks on Æthelwold, the original Abingdon *History* alludes to the dissemination of the standards he had devised while abbot. “All these [Old Minster, New Minster, Ely, Peterborough and Thorney] took their observance and foundations from the community at Abingdon, where that cultivator of piety and justice had planted a very fertile vine from which he propagated so many offshoots in many places.”<sup>183</sup>

In its treatment of Æthelwold’s activities, the revision of the Abingdon *History* limits itself to the information in Wulfstan’s *vita*. It elaborates significantly, however, on two aspects of his legacy, namely the valuable liturgical vessels and implements with which he endowed the community and the detailed stipulations he set for the monks’ diet. Our focus is on the latter. As with the story of Corbie, there is no certain earlier evidence for these, and they so exceed the strict regimen set forth in chapters thirty-nine through forty-one of the *Rule* as to give rise to the suspicion that they represent a late invention by monks romanticizing the past, or perhaps even hoping to cadge a larger allotment from

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<sup>182</sup> For Abbo on these issues, see Thomas Head, *Hagiography and the Cult of Saints: The Diocese of Orléans, 800-1200*. (Cambridge: University Press, 1990), esp. 238-55; and Barbara Rosenwein, Thomas Head and Sharon Farmer, “Monks and Their Enemies: A Comparative Approach,” *Speculum* 66 (1991): 778-86.

<sup>183</sup> *Historia Ecclesie Abbendoensis*, 1:114-16, “Que cuncta ex Abbendonensium sumpsere collegio cultum et fundamina, ubi pietatis iusticieque cultor ille uineam plantauerat tam fertilem, de qua per loca plurima tot propagines propagaret.”

unsuspecting abbots and cellarers. Indeed, given the well-attested regard Æthelwold shows for the *Rule* elsewhere, it is hard to imagine him instituting such modifications without providing some justification. The composer acknowledges the resulting abundance, stating that “not only were the monks sustained through the agency of this food, but also the poor were more readily able to be restored from their leftovers.”<sup>184</sup> (*De Abbatibus Abbendonæ*, which includes much of the same material on the food allowance, explains that this generosity was part of a deliberate effort to entice wealthier men, who would have been put off by the austerity of the *Rule*, to join the monastery.<sup>185</sup>) Again, the specifics of these provisions are of less interest than the detailed fashion in which they are presented.

The passage states that “each day for his sons laboring in the vineyard of the Lord, at the established hour he decreed an allowance of this sort, firmly established.”<sup>186</sup> The language here suggests a desire to safeguard the inviolability of what follows. As we might expect, weights and measures, when they are particular to this setting, are carefully defined, and, following the example of the *Rule*, treats food before drink. Each monk’s daily bread was “of pure wheat equal to five marks in weight from which that verse ‘The Abingdon loaf equals five marks in weight;’” cheese was also allotted for each day so

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<sup>184</sup> Ibid., 1:342, “ut non solum monachi quoad usum uictus sustentarentur, uerum etiam pauperes ex eorum reliquiis propensius recrearentur.” Knowles, *The Monastic Order in England*, 716-17, expresses similar suspicion as to the genuineness of these provisions.

<sup>185</sup> *Chronicon Monasterii de Abingdon*, 2:279. See also Lapidge, “Æthelwold as Scholar and Teacher,” 106, which finds the usage of Old English in this passage of the Abingdon *History* convincing, and, more generally, accepts the notion that Æthelwold’s monks were accorded special favor.

<sup>186</sup> *Historia Ecclesie Abbendoensis*, 1:340, “Singulis diebus horis statutis filiis suis in uinea Domini laborantibus annonam huiusmodi sub certa astipulatione constituit.”

that “within five days an Abingdon wey, which then was made up of twenty-two stone, as we have learned from the attestation of aged men, should be fully consumed;” sweet and sour milk were to be served at *cena* “in the most beautiful vessels which are known by the vernacular name as ‘Creches,’ [i.e., the Old English *cruce*]... Indeed, the vessel which is called a ‘creche’ holds sevens inches in depth from the top of one side to the bottom of the other;” and for the monks’ regular drink Æthelwold “determined it would be of great value to establish a certain set amount, neither surpassing nor falling short of a reasonable sufficiency. He therefore established a certain great bowl, fully containing in itself one and one-half flagons, that is two *caritates* and more, which bowl men of old used to call ‘Æthelwold’s bowl.’ In truth, twice a day, for *prandium* and *cena*, the monks’ beakers were filled from this measure.”<sup>187</sup> Possible independent confirmation of the ‘bollam Æpelwoldi’ can be gained from a poem found on the flyleaf of Antwerp, Plantin-Moretus Museum M16.2, an early eleventh-century collection of Latin instructional texts, interlinear Old English glosses, and extended lists of Latin-Old English and Latin-Latin

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<sup>187</sup> Ibid., 1:340-42, “de frumento puro quinque marcis parem in pondere, unde uersus ille ‘Panis Abendonie par marcis pondere quinque;” “infra quinque [this must originally have been ten, see below, p. 251] dies pondus Abendonense, quod tunc constabat ex uiginti duabus petris, ut ex antiquorum accepimus attestatione, penitus expenderetur;” “in uasis pulcherrimis que ‘Creches’ uulgari onomate dicuntur... Vas uero quod ‘creche’ nuncupatur septem polices continet quoad profunditatem a summitate unius usque ad profundum lateris alterius;” “quandam assisam, non ultra rationabilem sufficientiam progredientem nec citra deficientem, constituendam perutile fore diiudicauit. Constituit itaque cifum quendam magnum, flasconem et dimidium, scilicet duas caritates et eo amplius, in se plenarie continentem, quem cifum antiqui ‘bollam Æpelwoldi’ uocabant. Hac uero mensura bis in die obbe monachorum implebantur, scilicet ad prandium et ad cenam.” Note the use of the past tense with regard to the Abingdon wey; *De Obedientiariis*, a tract that can be dated to the early thirteenth century, and is thus roughly contemporary with the revised *History*, gives its weight as eighteen stone, *Chronicon Monasterii de Abingdon*, 2:404. *Historia Ecclesie Abbenoensis*, 2:xxvi-xxvii, discusses the dating of this tract. For “inch” as “pollex/polex,” see Kidson, “Metrological Investigation,” 82.

glosses.<sup>188</sup> This poem, a Latin riddle in four hexameters, refers to a formidable vessel that dispensed “twice double-mugs of *caritates*.”<sup>189</sup>

In addition to the daily bread and two cooked dishes stipulated in the *Rule*—referred to here as “*generale*”—were two types of legumes, to be served before, and *pulmentum*, served afterward.<sup>190</sup> A general and a pittance were available to those not given to gluttony. For feasts in albs, an additional pittance was available, for those in copes, two, and at the special feasts, three pittances besides the generals, and at *cena*, meat-pies and *oblata*.<sup>191</sup> Similarly, on feasts in albs and copes, mead was served, on the order of a *sextarium* for every six monks at *prandium* and for every twelve at *cena*, with wine served at *prandium* for special feasts. Seasonal adjustments included the substitution of a large eel for cheese during Lent, sour milk on every day from Hock-day to the feast of St. Michael, and then sweet milk every other day until the feast of St. Martin.

The section concludes by noting that Æthelwold “firmly prohibited under threat of anathema that any of his successors should presume to change for the worse or vary these

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<sup>188</sup> Max Förster, “Die Altenglische Glossenhandschrift Plantinus 32 (Antwerpen) und Additional 32246 (London)” *Anglia* 41 (1917): 94-161, discusses this ms and collates it with London, British Library, Additional 32246, with which it was once paired. The riddle is printed at p. 155. Ker, *Catalogue*, no. 2, provides the dating and favors an Abingdon attribution for the combined ms., but see Scott Gwara, “Canterbury Affiliations of London BL Royal 7 D.XXIV and Brussels, Bibliothèque Royale 1650 (Aldhelm’s *Prosa de virginitate*)” *Romanobarbarica* 14 (1997): 359-74, for evidence of a Canterbury association.

<sup>189</sup> “Bis bine fiale caritatis.” David W. Porter, “Æthelwold’s Bowl and *The Chronicle of Abingdon*” *Neuphilologische Mitteilungen* 97 (1996): 163-67, is the first to connect this riddle to the description found in the Abingdon Chronicle.

<sup>190</sup> *Historia Ecclesie Abbenoensis*, 1:340n289, translates “*pulmentum*” as “porridge.”

<sup>191</sup> *Ibid.*, 1:340, suggests “thin pastries” for “*oblata*.” The passage indicates there are seven such *precipuis* feasts: Christmas, Easter, Whitsun, the Assumption of Mary, her Nativity, the Nativity of Peter and Paul, and All Saints.

rules unless, perchance, moved by the zeal of charity, he should have resolved to change them from good to better.”<sup>192</sup> Here is provision for the evolution of these standards, provided any change constituted an improvement. Such a change is described in later pages of the revised Abingdon *History*, and, although it takes place slightly past the political end of Anglo-Saxon England, the evident regard it reveals for his standards, and the response to their possible breach, makes it a fitting capstone to this chapter’s survey of Æthelwold’s methods.

### **The Abbot, the Monks and the Cheese**

The change takes place during the abbacy of Faritius (1100-17), sometime after the elevation of Ralph d’Escrues to the archbishopric of Canterbury in 1114. “*Instinctu diaboli*,” certain monks fomented discontent among the chapter when “they asserted the morsels of cheese, so it seemed to them, had been changed and diminished from the provision of our holy father Æthelwold.”<sup>193</sup> News of this unrest reached the ear of King Henry I, who deemed it serious enough to send to Abingdon a curiously high-powered delegation consisting of Archbishop Ralph, Roger, the bishop of Salisbury and Hugh of Buckland, sheriff of several midland counties—figures whose importance one might think significantly outweighed the issue at hand.<sup>194</sup> Receiving these men in chapter, Faritius

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<sup>192</sup> Ibid., 1:342-44, “firmiter prohibuit sub anatematis interminatione ne quis successorum suorum in peius mutare presumeret aut uariare, nisi forte zelo caritatis succensus easdem consuetudines de bono in melius aumentare decreuisset.”

<sup>193</sup> Ibid., 2:334, “eo quod frustra casei, ut eis uisum fuerat, ab institutione sancti patris nostri Adelwoldi immutata asserent et inminorata.”

<sup>194</sup> Hugh of Buckland was the sheriff of Buckland, where Abingdon was located, and Roger of Salisbury would have been the abbey’s diocesan. The community enjoyed some immunities from each, although the extent of these is not clear and seems to have developed over the century and a half after the Conquest, *ibid.*, xci-c.

gave an impassioned self-defense, noting his efforts to reclaim alienated lands and to expand the community and emphasizing that “I do not wish it to be hidden from your excellence that since accepting the burden of pastoral office, the provisions of Æthelwold have never been broken by me, as it has been objected of me.”<sup>195</sup> The archbishop endorsed the improvements that the abbot had spoken of, but returned to the central problem: “Yet, concerning the morsels of cheese, about which this contention has been provoked, suggest to us what is on your mind.”<sup>196</sup> The abbot conceded the problem: “Let it not be unknown to your holiness that the provision of St. Æthelwold is not sufficient for this, as the portions are such, when through God’s will the number of brothers has multiplied, as they were when there were many fewer.”<sup>197</sup> He proposed, “if it pleases the whole community, that the wey, which previously was distributed for ten days, now, on account of the growing of the congregation, be assigned to five days.”<sup>198</sup>

The archbishop deemed this new arrangement satisfactory, provided that the abbot’s table would not benefit from the proposed increase. Faritius reassured him on that score, stating that he had made separate arrangements for himself and his successors. This

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<sup>195</sup> Ibid., 2:334, “nolo lateat excellentiam, me numquam, post pastoralis officii honus susceptum, institutiones sancti Adeluoldi, ut mihi obiectum est, infregisse.”

<sup>196</sup> Ibid., 2:334-36: “De frustis tamen, casei, pro quibus mota est altercatio, quid uestro supersederit animo nobis insinua.”

<sup>197</sup> Ibid., 2:336, “Vestre non fiat ignotum sanctitati institutionem sancti Adewoldi ad hec non sufficere, ut talia sint frustra, cum per Dei uoluntatem fratrum numerus sit multiplicatus, qualia fuerunt cum essent multo pauciores.” *De Abbatibus Abbendonæ*, in its brief account of this affair, indicates that the number of monks had grown from forty-three in Æthelwold’s time to eighty under Faritius, *Chronicon Monasterii de Abingdon*, 2:287.

<sup>198</sup> Ibid., “si in commune cunctis placuerit, ut pondus, quod prius diebus decem distribuebatur, nunc, pro augmento congregationis, quinque diebus attituletur.”

sufficed for the visiting delegation, as well as the monastic community, and the following ceremony ensued:

Therefore, by the request of Abbot Faritius and with the unanimous assent of the entire community, Ralph, the venerable archbishop of Canterbury and Roger, bishop of Salisbury, and also the same aforementioned father, with the priests of the whole convent, stoles having been attired and with candles having been lit, struck with solemn anathema all future violator or diminishers of the tenor of this provision, with the rest of the brothers, in lower orders, acclaiming in a low voice ‘so be it, so be it, so be it.’<sup>199</sup>

This scene amounts to the solemnization of a new standard, to which all who will be bound, as well as the ecclesiastic superiors from whom redress might be sought, assent. The consensual nature of the process is emphasized throughout the episode, and twice in the quoted passage. In its prohibition of breaking or lessening the standard, the passage implies that it can be changed by yet further amelioration, a general principle, one might assume, for all standards that may seem axiomatic but is rarely specifically enunciated.<sup>200</sup> The question of *cui bono*, on the other hand, is left unanswered. In this case, it may be surmised that any new standard needs to improve the lot of those to whom it is intended to apply, and not just that of the abbot who is proposing it, as the archbishop is careful to

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<sup>199</sup> Ibid., Rogatu igitur abbatis Faritii et totius conuentus assensu unanimi, Radulfus uenerabilis Cantuariensis archiepiscopus et Rogerus pontifex Saresbiriensis, idem quoque pater prefatus, cum totius conuentus sacerdotibus stolis indutis, candelis accensis, huius institutionis tenorem omnes inposterum uiolatores seu diminutores solempni perculerunt anathemate, ceteris fratribus, ordinis inferioris uoce submissa, ‘Fiat, fiat, fiat’ acclamantibus.”

<sup>200</sup> Ibid., 1:360, relates a curious tale of Æthelwold appearing in a vision to Abbot Siward (1030-44), who had been contemplating replacing many of the former’s constructions, including his church. The saint assures Siward that at a later date a different abbot would appear “enhancing good with good, destroying buildings and rebuilding for the better...lessening nothing from the established customs, but augmenting them for the better” (“bona bonis accumulans, edificia diruens et in melius reedificans...de consuetudinibus nichil minuens sed potius aumentans.”)

verify. It is less clear whether that rationale obtains in all instances, whether in Anglo-Saxon England, or, indeed, in standards today.

### Conclusions

In a recent article, Julia Barrow asks whether “‘reform’ is a useful term for what Æthelwold, Dunstan, and the rest were trying to do,” suggesting instead “‘cleansing’ or ‘exorcising,’ or, more neutrally, as ‘monasticizing’ or ‘regularizing.’”<sup>201</sup> David Dumville has long referred to the ‘Benedictine Revolution.’<sup>202</sup> Is the ‘Benedictine Standardization,’ or, perhaps, ‘Harmonization’ a useful construction, insofar as it provides an understanding of English monasticism in the tenth century?

In this chapter’s focus on the techniques employed by Æthelwold to further his vision of Anglo-Saxon monasticism, many of the elements that were defined in the Introduction as essential to a nuanced appreciation of standardization have been manifest. The *Regularis Concordia* was presented not as Æthelwold’s own invention—he is, in fact, never named in the text—but as the product of the consensus of “bishops, abbots and abbesses” brought together from throughout the kingdom. Further, he and his colleagues drew upon the best expertise they could summon. The consuetudinary was, as Ælfric noted, “collected,” not “written.”<sup>203</sup>

The promulgation of standards is but the first step, however. Although the *RC* included no provisions for it, Wulfstan, in his *vita* of Æthelwold, gives some sense of

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<sup>201</sup> Barrow, “Ideology,” 142, 154.

<sup>202</sup> Dumville, “English Square Miniscule Script.” See also Gerhart B. Ladner, “Terms and Ideas of Renewal in the Twelfth Century” in *Renaissance and Renewal in the Twelfth Century*, eds. Robert L. Benson and Giles Constable (Cambridge, MA: Harvard University Press, 1982), 1-33, for the broader tradition of reform and the language it employs.

<sup>203</sup> *Letter*, 110, “collegit.”



how the standards of monastic behavior were monitored. He portrays the bishop engaged in the tireless oversight necessary to make any regimen of standards effective.

Regardless of how fiercely they were enforced, the standards prescribed in the *RC* were not static. A constant process of change and development is to be expected; a fixed standard will quickly become a dead standard. The short tract *De horis peculiaribus* affords a glimpse of the ongoing process of improvement, as Æthelwold continued to devise a more perfect form of observance for his charges.

Finally, in Ælfric's confessed pleasure that his monks had agreed with his desire to surpass the standard, set in both the *Rule* and the *RC*, for the number of lessons said at Nocturns in the summer and the Abingdon monks' satisfaction with a slight increase to their ration of cheese we are afforded a glimpse into the replacing of an old standard by a new one. Although their subject matter could hardly be more different, there is a key similarity; in each case, the new standard had to be agreed upon by the whole body concerned—it could not be simply imposed upon the community by its superior.

Some suggestions about the larger ends towards which the standardization of monastic practice were directed are ventured in the Conclusion of this dissertation. A few salient points can be made here, however. Æthelwold, having seen the foundations which he had taken under his care recover much of the property that they had lost in the previous two centuries, was at pains to see that it was not alienated again. Additionally, perhaps taking inspiration from Bede, he seemed to have aimed not just for reestablishing monasticism, but for recasting the entirety of the English Church as a monastic

enterprise, as evidenced by the development, unique to England, of the monastic cathedral chapter.

## CONCLUSION

### STANDARDIZATION AS A TOOL FOR MEDIEVALISTS

The case has been made in each chapter that standardization provides a viable framework with which to interpret a given element of Late Anglo-Saxon society. Establishing viability, however, is not the same as establishing value. The case that standardization, as conceptualized in this study, is a useful tool for medievalists has been left to this Conclusion. These chapters have shown in their treatment of coins and law codes the ways in which standardization – with its focus on ongoing, evolutionary processes – can add nuance to the numismatic and legal histories of Anglo-Saxon England. The tendency to concentrate on single points in time (e.g., 973 or 1014), single individuals (Edgar or Wulfstan) and single occurrences (the coronation at Bath, Cnut's invasion) is dissipated, and in its place a more processual picture is developed.

Even when the surviving documentary evidence is limited and the standards largely have to be inferred, standardization thus has something to offer the historian. Given a richer textual environment, however, particularly if some of those texts contain standards, much more can be accomplished. What follows, by way of illustration, is a comparison between the portrait of Æthelwold developed through more conventional scholarship and the one depicted in Chapter Three.

Work on the monastic reform movement, both on the continent and in England, has been heavily influenced by Josef Semmler's research of Benedict of Aniane.<sup>1</sup> Semmler endorsed a narrative – epitomized in the phrase “Una regula – una consuetudo” – that monastic reform in the Carolingian world entailed a push for unity of observance above all else. (In lieu of a more thorough critique, it is sufficient for now to note that this phrase, usually presumed to have come from Benedict himself or his hagiographer Ardo, is in fact a coinage of Semmler's, cobbled together from two different lines of Ardo's *vita*.) Semmler's portrayal has not received unanimous acceptance, but it has been very influential.<sup>2</sup> Students of Anglo-Saxon history have found the similarities between Æthelwold and his “continental counterpart” Benedict of Aniane irresistible.<sup>3</sup> Further, the judgments made about the former, with their concomitant negative assessment of the impact of his efforts, have inevitably also been attached to the bishop of Winchester. Thus, we read that Ælfric's *Letter* “amounted to a compromise of the strict liturgical uniformity that the *Concordia* had been designed to achieve. The imperial pretensions of

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<sup>1</sup> Josef Semmler, “Benedictus II: Una regula – una consuetudo” in *Benedictine Culture 750-1050*, eds. W. Lourdaux and D. Verhelst (Leuven: University Press, 1983), 1-49, is the pivotal work in this respect.

<sup>2</sup> Richard Sullivan, “What was Carolingian Monasticism: The Plan of St Gall and the History of Monasticism” in *After Rome's Fall: Narrators and Sources of Early Medieval History. Essays Presented to Walter Goffart*, ed. Alexander C. Murray (Toronto: University Press, 1998), 251-87, offers a particularly effective response to Semmler.

<sup>3</sup> Wormald, “Æthelwold and his Continental Counterparts,” selects Benedict as the first of five figures to compare and contrast with Æthelwold.

Edgar's reign went hand in hand with Æthelwold's zeal for total unity in worship and religious discipline, all in self-conscious imitation of Carolingian models."<sup>4</sup>

A contrast between this image and the one of Æthelwold that emerges in Chapter Three is instructive. The fundamental point that standardization does **not** entail uniformity allows the historian to recognize Æthelwold's appreciation of the variety of challenges that faced monks and nuns in tenth-century England and the different provisions he had to make for them. The significant amount of latitude he allowed for in devotional practice comes to the fore. We see his complex balancing of foreign customs and English traditions instead of his slavish imitation of continental examples. The ongoing nature of standardization allows us to situate him with in a much lengthier process, obviating questions about the 'beginning' or 'end' of the Benedictine Reform. "Monks," after all "are always in need of reform."<sup>5</sup> Finally, and most importantly, the recognition that Æthelwold was not driven by a singular focus on uniformity (and that his efforts can no longer be easily dismissed as failures) allows us to ask questions about his real intent. Perhaps the most instructive point to be garnered from the conceptualization of standardization that has been explored here is that standardization is not an end, but a means to an end.

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<sup>4</sup> Jones, "Structure and Sources," 50-51.

<sup>5</sup> Marco Mostert, "Relations between Fleury and England." England and the Continent in the Tenth Century. An International Conference in Memoriam of Professor Dr. Wilhelm Levison. Durham University. December 15<sup>th</sup>, 2007.

What were Æthelwold's ends? A constant in each of the three chapters is the relationship between standardization and the embryonic English state. The standardization of the coinage appears to have been connected to the easier movement of goods and money throughout the kingdom; more study may determine whether this was anticipated. The standardization of legal texts allowed royalist legislators, such as Archbishop Wulfstan, to literally reinvent the kingdom's past on more favorable terms to both crown and church. Perhaps the most striking element from the documents reviewed in Chapter Three is Edgar's ubiquity. The picture at the front of one of the *Regularis Concordia* eloquently speaks to a partnership between the king and his leading ecclesiastics. A key element in this partnership, on both sides, was unity.

In the *RC*, Edgar is said to have summoned to Winchester Synod to ensure "one rule and one country." A search through the *Monumenta Germania Historica* and the *Corpus Christianorum* reveals no similar pairing of monasticism and country. Implicit in this formulation is the notion that a unified political entity should have but one monastic custom and, conversely, that a lack of unity in monastic practice signifies a disunited county.

Edgar's concern for a united monastic practice is paralleled by Æthelwold's concern, as presented in *EeoM* for a united kingdom; recall the disapproval with which he described Edgar's brother Eadwig dividing the kingdom and his evident satisfaction in relating that Edgar, upon assuming the throne, had reunited it.<sup>6</sup> The kingdom itself was a

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<sup>6</sup> Nicholas Bateson, "Monastic Reform and the Unification of Tenth-Century England," in *Religion and National Identity: Papers Read at the Nineteenth Summer Meeting and the*

recent invention, with the ruling house of Wessex only establishing itself throughout England in the 920s, and its control was uncertain at best. Different customs prevailed in different parts of the country, as exemplified by the distinct legal codes periodically issued for those in the north and the different coins issued in different towns. If disunity resulted in different practices, the converse would suggest that similar practices would encourage unity.

This is not to argue that the Benedictine Reform was purely a product of political calculation. Instead, my reading is that Æthelwold, or Edgar, (and, on this issue, I suspect there would have been little daylight between the two) saw the Reform's potential to erase regional difference and took advantage of it, effectively enlisting the energies of the movement into a larger project that was dear to the heart of Edgar and his royal predecessors and successors – that of state-building. Such a goal would be well served by the consensus that the *RC* is at such pains to emphasize. It would also explain the pronounced emphasis on Englishness and the repeated intercessions on behalf of the English monarch that most differentiate the *RC* from its continental contemporaries.

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*Twentieth Winter Meeting of the Ecclesiastical History Society*, ed. Stuart Mews, (Oxford: Blackwell, 1982), 71-86; and James Campbell, "England, c. 991" in idem *The Anglo-Saxon State* (London: Hambledon, 2000), 161-64, both note the similar preoccupation of church and crown with unity, although they see each imposing it in a hierarchical, top-down fashion.

APPENDIX A  
THE HOARDS



What follows is a brief description of and bibliography for each hoard used in this study. The hoards are identified by their numbers in the Fitzwilliam *Checklist (FM)*. When available, they are also identified by their respective entries in Thompson's *Inventory (Thompson)* and Allen's "Volume of the English Currency" (*Allen*).<sup>1</sup>

*FM* 105b—Brantham, Suffolk. This hoard was uncovered on farmland by a metal detecting club over the course of four days in March, 2003.<sup>2</sup> It consists of ninety coins of Edward the Elder and has been estimated to date from c. 920, shortly after he would have established control over East Anglia. The evidence for these coins' origins is ambiguous. Eighty-five are of a style that has been associated with the northeast midlands, but many of these bear the names of moneyers who had struck coins for the previous, Scandinavian regime in East Anglia.<sup>3</sup> This might indicate that the change in political control was accompanied by the importation, if only temporarily, of Mercian moneyers and equipment. Absent a detailed analysis, however, no firm conclusions can be reached.<sup>4</sup>

*FM* 104—Amesbury, Wiltshire. Unearthed during the digging of a grave in a churchyard in February, 1853, this hoard consists of two pennies of Edward the Elder.<sup>5</sup>

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<sup>1</sup> James David Anthony Thompson, *Inventory of British Coin Hoards: A.D. 600-1500*, Royal Numismatic Society Special Publications 1 (Oxford: University Press, 1956); Allen, "Volume of the English Currency," 503-23.

<sup>2</sup> "Brantham: You're a Treasure," *The Echo* (Essex), 13 February 2004.

<sup>3</sup> Mark A. S. Blackburn, "Currency under the Vikings. Part 2: The Two Scandinavian Kingdoms of the Danelaw, c.895-954," *British Numismatic Journal* 76(2005): 207-08.

<sup>4</sup> A site report by Anna Gannon is said to be in preparation.

<sup>5</sup> Paul Robinson, "Saxon coins of Edward the Elder from St. Mary's Churchyard, Amesbury," *Numismatic Chronicle* 144 (1984): 198-201.

As this churchyard was active, these coins might represent the dispersed remnant of an unreported larger hoard that had been uncovered some time earlier. The mint of neither of these coins is known.

*FM 105a*—Framingham Earl, Norfolk. Found by metal detector between 1994-97, this is a hoard of twenty-one whole and fragmentary bust-type pennies of Edward the Elder.<sup>6</sup> The eighteen pennies described in the second and third find-reports are identified as “late East Anglian,” and the hoard likely dates to approximately the same period as the one found in Brantham. The entirely different compositions of these two hoards suggests a division between the currencies circulating in the north and south of East Anglia as the time.

*FM 107*—Morley St. Peter, Norfolk. Discovered January 27, 1958, in the course of maintenance work, this hoard consists of 883 coins. A substantial majority (763) are of Edward the Elder, and one is of his son Æthelstan, suggesting that the hoard was laid down at the very beginning of the latter’s reign, c. 925. The remaining 119, including coins of Edward’s father, Alfred, Ceolwulf of Mercia and a variety of issues from the Viking Danelaw, predate the Wessex dynasty’s control of the area—some by as much as fifty years—and are outside the scope of this analysis.<sup>7</sup> Although no specific mints are

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<sup>6</sup> “Coin Hoards,” *Numismatic Chronicle* 156 (1996): no. 130; 157 (1997): no. 49; 158 (1998): no. 37. The find notices indicate that a report on the hoard by Marion Archibald is in preparation, but it has yet to appear. See also Blackburn, “Currency under the Vikings:” 208.

<sup>7</sup> Timothy Hatton McKenzie Clough, ed., *Sylloge of Coins of the British Isles vol. 26: Museums in East Anglia* (London: Oxford University Press, 1980), 1-45, describes the hoard in some detail.

identified, 623 of the Edward coins are said to be of an “East Anglian style.”<sup>8</sup> Two others are from London and one from Sandwich.

*FM 133*—Hundon, Suffolk. Found in a grave in 1687, this hoard originally was composed of two to three hundred pennies. A contemporary notice allows for the identification of twenty-one of these coins.<sup>9</sup> A slightly later account adds three more.<sup>10</sup> Æthelstan is featured on four of these coins and his successors Edmund and Eadred on fourteen and six respectively, indicating a deposition in the middle of the latter’s reign, c. 953. With the exception of a tentative attribution of one of the Eadred coins to Norwich, no mints have been established for any of the coins in this hoard.

*FM 136*—Bath Abbey, Somerset. This hoard was found in a grave in an Anglo-Saxon cemetery that was uncovered during the demolition of Bath Abbey House in 1755.<sup>11</sup> It consists of forty-two coins, three of Æthelstan, twenty of Edmund, seventeen of Eadred and two that are blundered too badly to determine the ruler’s name. These coins were

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<sup>8</sup> Ibid., 7, with the suggestion that they are “the products of a workshop set up locally...following the expansion of the power of Wessex over Danish East Anglia after 920.”

<sup>9</sup> Philip Skippon, “An Account of Some Saxon Coyns Found in Suffolk,” *Philosophical Transactions* 16, no. 189 (1687): 356-61. Joan S. Strudwick, “An Account of Some Saxon Coins Found at Honedon near Clare, Suffolk, 1687,” *British Numismatic Journal* 28 (1955-57): 181, considers this to be a “sufficiently good sample” of the whole.

<sup>10</sup> Samuel Dale, “A Letter from Mr. Samuel Dale, Giving a Further Account of Some Coins Found at Honedon in Suffolk,” *Philosophical Transactions* 19, no. 203 (1693): 874, discussed in David Michael Metcalf, “Find-Records of Medieval Coins from Gough’s Camden’s *Britannia*,” *Numismatic Chronicle* ser. 6, 17 (1957): 194-95.

<sup>11</sup> David Michael Metcalf, “Eighteenth-Century Finds of Medieval Coins from the Records of the Society of Antiquaries,” *Numismatic Chronicle* ser. 6, 18 (1958): 77-79; Christopher Blunt and Hugh Pagan, “Three Tenth-Century Hoards: Bath (1755), Kintbury (1761), Threadneedle Street (before 1924),” *British Numismatic Journal* 45 (1975): 19-24.

thus likely laid down sometime during Eadred's reign (946-55) or very shortly thereafter. No mint attributions are available.

*FM 140*—Kintbury, Berkshire (*Thompson 220*). This hoard was discovered in 1761, under a skull in a churchyard.<sup>12</sup> Contemporary records indicate that it consisted of about fifty coins, but only ten of these can be identified. Three successive ruler are represented, Edmund on one coin, Eadred on four and Eadwig on five. One of the Eadwig coins has been linked to Beford, a second, more tentatively, to Newark, and a third, as well as one of the Eadwigs, to the north midlands. The hoard is unlikely to have been laid down much after Eadwig's death in 959.

*FM 176*—Spettisbury Rings, Dorset (*Allen 4*). This hoard was recovered from a plowed field in 1790.<sup>13</sup> A letter written two years later describes three of the coins recovered, a reform issue of Edgar, one of Edward Martyr and one of Æthelred II of an undetermined type and mint. This distribution suggests the hoard was deposited early in Æthelred's reign, c. 980. The Edgar coin is from Wessex, struck at Totnes, Devon, while that of Edward Martyr was produced in Stamford.

*FM 178*—Ipswich, Suffolk (*Thompson 199, Allen 5*). This hoard was exposed on October 24, 1863, during construction around the town's Buttermarket. Originally consisting of perhaps five hundred coins, approximately one hundred twenty to one hundred fifty were preserved in good condition. All coins were from the reign of

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<sup>12</sup> Blunt and Pagan, "Three Tenth-Century Hoards," 25-28.

<sup>13</sup> David Michael Metcalf and Kenneth Jonsson, "A Hoard from Early in the Reign of Æthelred II found at Spettisbury Rings Hill Fort, Dorset," *British Numismatic Journal* 50 (1980): 132-33.

Æthelred II, and all were of the First Hand type, believed to have been struck c. 979-85. Michael Dolley connects seventy-five known coins to this hoard.<sup>14</sup> John Sadler makes a definitive claim for another five, and associates another forty with this hoard based on circumstantial evidence, namely similarities in the built-up chemical patina between known elements of this hoard and otherwise unattributed coins in various collections.<sup>15</sup> Of these one hundred twenty coins, sixty-five were struck locally in Ipswich itself, and another eleven are products of other East Anglian mints.

*FM 185*—Bury St. Edmunds, Suffolk I (*Allen 8*). Peter Spufford infers the existence of this hoard based on the collection and records of Rev. Samuel Savage Lewis, fellow and librarian of Corpus Christi College, Cambridge, in the late 19<sup>th</sup> century.<sup>16</sup> All that can be traced are two Æthelred II pennies of the CRUX type, thought to have been issued c. 991-97. Lewis obtained the pennies in Bury St. Edmunds, leading Spufford to the conclusion that they represent a local find. Neither of the coins was minted in East Anglia.

*FM 187a*—Bury St. Edmunds, Suffolk II (*Allen 9*). The coins in this hoard were reported over the course of a few years in the early 1990s.<sup>17</sup> All are associated with the

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<sup>14</sup> Michael Dolley, "A Small Parcel of First Hand Pennies of Æthelræd II from the 1863 Ipswich Hoard," *British Numismatic Journal* 33 (1964): 34-38.

<sup>15</sup> John C. Sadler, "Some Contemporary Literary Sources Relating to the 1863 Ipswich Buttermarket Hoard," *Seaby's Coin and Medal Bulletin* 756 (August, 1981): 220-23.

<sup>16</sup> Peter Spufford, "Some Hoard Evidence from a Nineteenth-Century Collection," *British Numismatic Journal* 30 (1960-61): 213-16.

<sup>17</sup> "Coin Register 1994," *British Numismatic Journal* 64 (1994): 151; "Coin Hoards," *Numismatic Chronicle* 155 (1995): nos. 12-13; "Coin Register, 1996," *British Numismatic Journal* 66 (1996): 159-60.

same Bury St. Edmunds findspot, and thus can be assumed to constitute a single hoard. The collection consists of two fused lumps (one subsequently broken into two smaller pieces) totaling approximately fifteen pennies as well three individual coins. All are of Æthelred II's CRUX issue. Mint attributions can only be made for five of these coins, all of which were produced outside of East Anglia.

*FM 187b*—Haverhill, Suffolk (*Allen 10*). This hoard of three Æthelred II CRUX pennies was reported in 1997.<sup>18</sup> Only one of the three was minted in East Anglia.

*FM 197*—Great Barton, Suffolk (*Allen 16*). This hoard, a fused lump of coins, was found in a garden, c. 1850.<sup>19</sup> Based on its weight, Michael Dolley estimates that the lump represents approximately fifty coins, all seemingly of Æthelred II's Long Cross type, attributed to 997-1003. Of the three coins that can be identified by mint stamp or moneyer signature, all originated from the East Anglian mint of Thetford.

*FM 200*—Shaftesbury, Dorset (*Allen 19*). This hoard of about one hundred coins was found in a coffer during construction work in 1941.<sup>20</sup> The site where it was uncovered was a few hundred yards outside the fortifications of the original Anglo-Saxon burgh of Shaftesbury. All coins were of Æthelred II's Long Cross type. Mint marks are recorded for ninety-two coins, one of which was a contemporary forgery with a Winchester mint-mark. Only twelve of these coins were from Wessex mints. (The forgery, under the

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<sup>18</sup> "Coin Hoards," *Numismatic Chronicle* 157 (1997): no. 50.

<sup>19</sup> Dolley, "Three Forgotten English Finds," 102-4; Metcalf, *Atlas*, 124-25.

<sup>20</sup> Michael Dolley "The Shaftesbury Hoard of Pence of Æthelred II," *Numismatic Chronicle* ser. 6, 16 (1956): 267-80; Metcalf, *Atlas*, 124.

assumption that it was intended to circulate as legitimate currency, has been included in these calculations.)

*FM 201b*–Barsham, Suffolk (*Allen* 12). This hoard, discovered in 1986, has yet to be published. The Fitzwilliam *Checklist* indicates that it consists of “About sixty Long Cross coins of Æthelred II.” No information on mint or moneyer is available.

*FM 201c*–Bramdean Common, Hampshire (*Allen* 13). This hoard was uncovered on November 22, 1997.<sup>21</sup> It consists of twenty Æthelred II Long Cross pennies. This hoard is remarkable in that all coins are not only from the same mint (London) and moneyer (Godric) but from the same pair of dies, indicating that they had all been acquired at the same time and never separated, although the eventual find spot is some distance from London.

*FM 211*–Rougham, Suffolk. No further information exists for this hoard, discovered c. 1850, beyond a nearly contemporary report: “A few years since, three coins of Cnut were found in the churchyard at Rougham, Suffolk; they were perfect, but I could not obtain one.”<sup>22</sup> Absent a type, the deposition cannot be fixed any more precisely than the reign of Cnut, or perhaps shortly thereafter. The account gave no indication of the coins’ mints or moneyers.

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<sup>21</sup> Gareth Williams, “A Hoard of Æthelred II ‘Long-Cross’ Pennies from Bramdean Common, Hampshire,” *British Numismatic Journal* 68 (1998): 143–44.

<sup>22</sup> Joseph Warren, “Antiquities Found in Churchyards,” *East Anglian Notes & Queries* 1 (1858–63): 437.

*FM 213*–Southampton, Hampshire (*Allen 28*). This hoard, which is discussed in greater detail in Chapter One, was discovered on August 30, 1967, in the course of excavations at Southampton.<sup>23</sup> Its twenty-two Norman silver *deniers*, of which one was almost disintegrated and eleven others significantly damaged, represent the only foreign coins found in the twenty-three hoards examined here. These coins were of a type minted in the 1020s, and were probably lost shortly thereafter.

*FM 220a*–Polstead, Suffolk (*Allen 31*). This hoard was found through metal detection on a farm in the 1980s.<sup>24</sup> It consists of four Cnut pennies of the Short Cross variety, which was issued c. 1030-35. Mint stamps are apparent for three of the coins, one of which is East Anglian. A fifth coin, of Æthelred II's Helmet issue (1003-9), was found nearby.<sup>25</sup> The chronological gap between this coin and the other four suggests that it is an independent single find, and not part of the hoard, and it has been treated as such in this study.

*FM 220b*–Woodbridge, Suffolk (*Allen 32*). This hoard was found through metal detection in 1996.<sup>26</sup> It consists of three Cnut Short Cross pennies. All three were minted outside of East Anglia.

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<sup>23</sup> Dolley, "The Coins," 321-28.

<sup>24</sup> Mark A. S. Blackburn and John Newman, "A Small Hoard from Polstead, Suffolk, Deposited c. 1035," *British Numismatic Journal* 61 (1991): 124-25.

<sup>25</sup> This is coin 2000.0121 in the *Early Medieval Corpus*.

<sup>26</sup> "Coin Hoards," *Numismatic Chronicle* 159 (1999): no. 39. A more detailed description of this hoard, prepared by Gareth William, is anticipated.



*FM 228a*–Bowthorpe, Norfolk (*Allen 35*). This hoard, yet another hoard uncovered through the aid of metal detectors, was found in September, 1991.<sup>27</sup> The three coins are from Harthacnut's reign, and are of the Arm and Scepter variety, issued 1040-42. All three were struck at the nearby mint of Norwich.

*FM 229*–Wedmore, Somerset (*Thompson 374, Allen 36*). This hoard of approximately two hundred pennies was found in a crock in a churchyard in March, 1853.<sup>28</sup> It is unusual in that the one hundred eighty coins that can be attributed to the hoard range from a single Æthelred II coin of his Helmet issue, thought to have been struck c.1003-09, through Cnut, whose three types are each well represented on a total of one hundred twenty-nine coins; Harold and Harthacnut, on twenty-four and twenty coins respectively; to six specimens of Edward the Confessor—a transitional Harthacnut Arm and Scepter bearing his successor's name and five of Edward's initial PACX type, c. 1042-44, which is presumably the time at which this hoard was concealed. Even if the lone Æthelred coin is discounted as anomalous, this represents a span of roughly twenty-five years—far greater than that found in any other of the post-Reform hoards. Wedmore, then, as well as the Thwaite hoard, which is roughly contemporary and shares some of these characteristics, albeit to a reduced degree, display signs of having been wealth or savings hoards, as opposed to collections of currency circulating at any one point in time. Of the

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<sup>27</sup> Mark A. S. Blackburn and Andrew Rogerson, "A Small Purse Hoard of Harthacnut Coins from Bowthorpe, Norfolk," *British Numismatic Journal* 61 (1991): 125-26.

<sup>28</sup> Michael Dolley and Joan S. Strudwick, "The Provenances of the Anglo-Saxon Coins Recorded in the Two Volumes of the British Museum Catalogue," *British Numismatic Journal* 28 (1955-57): 35, 51-54, modified and supplemented in Metcalf, *Atlas*, 151-52, 246.

one hundred seventy-seven coins that can be attributed to a mint, sixty-one are from Wessex.

*FM 232*—Thwaite, Suffolk (*Thompson* 69 and 360, *Allen* 37). This large hoard was uncovered during the removal of a tree stump in February, 1832.<sup>29</sup> Although initial reports indicate the hoard was of 600-700 coins, only 224 can be traced today. This hoard includes coins bearing the names of three different monarchs issued over a dozen years. Thirteen are from the reign of Harold I, one from Harthacnut, and two hundred ten from Edward the Confessor. Over half of the Confessor coins are from the latest variety found, his Small Flan type, struck c. 1048-50, which likely indicates the time at which this hoard was concealed. Thus, unlike the Wedmore hoard, the most recent issues are predominant in Thwaite. Mints can be determined for 196 of these 224 coins. The majority of these were struck in London, and only fifteen are of East Anglian issue.

*FM 251*—Stockbridge Down, Hampshire (*Allen* 47). This hoard was found in the course of excavations carried out in 1935-36.<sup>30</sup> The site appears to have been a place of execution, and the coins were found wrapped in a linen cloth concealed in the armpit of a skeleton. The six coins are from Edward the Confessor's final, Pyramids, issue, c. 1065-66. All six are from the Wessex mint of Winchester.

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<sup>29</sup> Joan S. Martin "The Supposed Finds at Thwaite and Campsey Ash, 1832" *British Numismatic Journal* 28 (1955-57): 414-16, supplemented in Metcalf, *Atlas*, 155-56.

<sup>30</sup> Michael Dolley, "The Stockbridge Down Find of Anglo-Saxon Coins," *British Numismatic Journal* 28 (1955-57): 283-87.

APPENDIX B  
FOREIGN COINS

Each coin is listed along with a brief description and its *EMC* identification number

### **Ottonian German (4)**

#### East Anglia

#1 *EMC* 1995.0260: A fragment of a penny of Otto III (983-1002) recovered at Bury St. Edmunds, Suffolk.

#2 *EMC* 1995.0271: A chipped penny, minted at Pavia, features an “OTTO IMPERATOR” but too badly worn to determine whether Otto I, II or III. (962-1002) Found at Hemingstone, Suffolk.

#3 *EMC* 1997.0230: A complete, worn and pecked penny of Otto III. No mint mark is visible. There is no further information on the findspot beyond “East Anglia.”

#### Wessex

#4 *EMC* 1986.0082: A complete specimen and in good conditions, this is an imitation penny of Otto III, copying the design at the mint of Cologne. It has been attributed to Westphalia in the 1040s. Found at Blandford Forum, Dorset.

### **French (3)**

#### East Anglia

#5 *EMC* 1996.0350: A chipped coin featuring Hugh Capet (987-96). This specimen probably dates from considerably after Hugh’s reign, as this design, bearing the name of various rulers, was immobilized, and continued to be struck widely in France throughout the 11<sup>th</sup> and early 12<sup>th</sup> centuries. Found in Brandon, Norfolk.

#6 *EMC* 1988.0193: This billon denier of Hugues Bardoul, Count of Dreux (1050-55) is in good condition. It was found at Tuddenham St. Martin, Suffolk.

#7 *EMC* 1996.0351: Also of Hugues Bardoul of Dreux, this coin is whole, but considerably more worn than its counterpart. The findspot is given simply as “Norfolk.”

### **Norman (2)**

Wessex

#8 *EMC* 1977.0227: This is a chipped and very badly worn Norman coin identified with a series produced 1050-75. It was found during excavations at Winchester, Hampshire.

#9 *EMC* 1979.0004: This coin is reported to be of the same series as the previous one. There is no other description or image accompanying it in the *Corpus*. Found at Faccombe Netherton, Hampshire.

### **Hiberno-Norse (3)**

East Anglia

#10 *EMC* 1998.2148: This is a badly chipped and heavily worn imitation of the Jewel Cross design employed by the Anglo-Saxon kings Harold Harefoot and Harthacnut c. 1035-38, and presumably dates to the same period. The legend on both faces is blundered. Found at Tibenham, Norfolk.

Wessex

#11 *EMC* 2000.0145: A fragment, this coin appears to date from a late phase (1065.1095) of the Hiberno-Norse occupation. It was recovered from the back fill of a grave during excavations at Trowbridge, Wiltshire.

#12 *EMC* 2000.0146: Another fragment, in all respects identical to the previous coin and recovered in the same location.

**Diocese of Utrecht (1)**

Wessex

#13 *EMC* 1977.9010: This coin features Bishop Bernold (1027-56). Although there is no image in the *Corpus*, its recorded weight of 0.71 grams is quite light, indicating this coin may be chipped or fragmentary. Found in Old Sarum, Wiltshire.

**Danish (1)**

Wessex

#14 *EMC* 1980.0011: Featuring King Magnus (1042-1047), this coin was minted in Lund. It is in quite good condition, and was recovered in Salisbury, Wiltshire.

**Byzantine (2)**

East Anglia

#15 *EMC* 1996.0267: This miliaresion of Emperor Nicephoras II Phocas (963-69), larger than contemporary coinage of Western Europe, has been fashioned into a brooch. If this specimen had already been adapted as jewelry before it reached in England, then it would have ceased to function as a coin, and, arguably, should be excluded from this survey. As there is no way to determine when it was modified, however, it has been retained. It was recovered at Sporle, Norfolk.

#16 *EMC* 1997.0161: This is an extremely worn and misshaped follis, with ruler and mint illegible. It is of a design that circulated 1059-81. Found in Kelling, Norfolk.

**Islamic (9)**

## East Anglia

#17 *EMC* 1997.0106: A Samanid dirham of Amir Nasr II ibn Ahmad (914-43) minted at Ma'dan. Although bent and pierced, it appears to be in good condition. Found in Coltishall, Norfolk.

#18 *EMC* 2000.0089: This is a fragmentary Samanid dirham, attributed to the first half of the 10<sup>th</sup> century, uncovered in East Rudham, Norfolk.

#19 *EMC* 2006.0091: This is another dirham of Nasr II, also stuck at Ma'dan. It appears to bear a date of 315 (927-28). It was found at Buxton with Lamas, Norfolk.

#20 *EMC* 2001.1266: This bent but whole dirham is in the style of the Samanid Amir Ahmad ibn Ismail (907-14), bearing the mint stamp of Balkh (Bactria), but is believed to be an imitation produced in Volga Bulgaria sometime before 930. It was found in Thetford, Norfolk.

#21 *EMC* 1997.0107: An otherwise unidentified Arab dirham. It is bent but whole. It was recovered in Cranwich, Norfolk.

#22 *EMC* 2008.0124: A cut fragment representing no more than one-quarter of an Abbasid dirham. Uncovered in Shipdham, Norfolk.

#23 *EMC* 2008.0125: Another fragment, even smaller than the preceding coin, also of an Abbasid dirham. Also found in Shipdham.

## Wessex

#24 *EMC* 1977.0226: A Samanid dirham of Amir Isma'il ibn Ahmad from the mint of Samarkand. It is both chipped and bent. A tentative date of 285 (898-99) has been offered. It was uncovered during excavations at Winchester.

#25 *EMC* 1957.0001: A dirham from Umayyad Spain featuring Caliph Hisham II (976-1009), dated 390 (999-1000). It was found at Cerne Abbas, Dorset.



APPENDIX C  
DISTRIBUTION OF SINGLE FINDS  
AND HOARDS

Table 2. Single Finds in East Anglia: Domestic vs. Foreign

East Anglia	Anglo-Saxon	Foreign (minimum)	Foreign (maximum)	Foreign (weighted)
Pre-Reform	66	2 (2.94%)	9 (12%)	4.525 (6.46%)
Reform	308	6 (1.91%)	11 (3.45%)	7.575 (2.4%)
Total	374	9 <sup>1</sup> (2.35%)	16 <sup>2</sup> (4.1%)	12.1 (3.13%)

Table 3. Single Finds in East Anglia: Intraregional vs. Interregional

Attributable by Region	East Anglia	External
Pre-Reform	13	5 (27.78%)
Reform	65	179 (73.36%)

Table 4. Single Finds in Wessex: Domestic vs. Foreign

Wessex	Anglo-Saxon	Foreign (minimum)	Foreign (maximum)	Foreign (weighted)
Pre-Reform	28	0 (0%)	1 (3.45%)	.46 (1.62%)
Reform	145	4 (2.68%)	8 (5.23%)	5.41 (3.60%)
Total	174 <sup>3</sup>	4 (2.25%)	9 (4.92%)	5.87 (3.26%)

<sup>1</sup> *EMC* 1995.0271, an Ottonian coin minted at Pavia, reads “IMPERATOR OTTO” on its obverse, but is too badly damaged to determine which Otto it represents. Thus, it could have been minted anytime between Otto I’s imperial coronation in 962 and Otto III’s death in 1002. It is counted in neither sub-category for the minimal calculation, and both sub-categories for the maximum calculation.

<sup>2</sup> Three Arabic coins, *EMC* 1997.0101, 2008.0124 and 2008.0125 are too damaged for any certain dating beyond 745-1269, and thus overlap both of the chronological endpoints.

<sup>3</sup> *EMC* 2000.0013 is described as an Edgar coin, but with no further details. Without an image, it is impossible to determine whether it is pre-Reform or Reform.

Table 5. Single Finds in Wessex: Intraregional vs. Interregional

Attributable by Region	Wessex	External
Pre-Reform	9	1 (10%)
Reform	50	69 (57.98%)

Table 6. Combined Single Finds: Domestic vs. Foreign

Both Regions	Anglo-Saxon	Foreign (minimum)	Foreign (maximum)	Foreign (weighted)
Pre-Reform	94	2 (2.08%)	10 (9.61%)	4.985 (5.04%)
Reform	453	10 (2.16%)	19 (4.03%)	12.985 (2.79%)
Total	548	13 (2.32%)	25 (4.36%)	17.97 (3.18%)

Table 7. Combined Single Finds: Intraregional vs. Interregional

Attributable by Region	Local	External
Pre-Reform	22	6 (21.43%)
Reform	115	248 (68.32%)

Table 8. Hoards in East Anglia: Domestic vs. Foreign

East Anglia	Anglo-Saxon	Foreign
Pre-Reform	899	0 (0%)
Reform	520	0 (0%)
Total	1419	0 (0%)

Table 9. Hoards in East Anglia: Intraregional vs. Interregional

Attributable by Region	East Anglia	External
Pre-Reform	642	141 (18.01%)
Reform	99	239 (70.71%)

Table 10. Hoards in Wessex: Domestic vs. Foreign

Wessex	Anglo-Saxon	Foreign
Pre-Reform	52	0 (0%)
Reform	301	22 (6.81%)
Total	353	22 (5.87%)

Table 11. Hoards in Wessex: Intraregional vs. Interregional

Attributable by Region	Wessex	External
Pre-Reform	0	1 (100%)
Reform	87	210 (70.71%)

Table 12. Combined Hoards: Foreign vs. Domestic

Both Regions	Anglo-Saxon	Foreign
Pre-Reform	951	0 (0%)
Reform	821	22 (2.61%)
Total	1772	22 (1.23%)

Table 13. Combined Hoards: Intraregional vs. Interregional

Attributable by Region	Local	External
Pre-Reform	642	142 (18.11%)
Reform	186	449 (70.71%)

APPENDIX D

LAWS ON COINS, WEIGHTS AND MEASURES

## II Æthelstan

14 Concerning moneyers. Thirdly: That there shall be one money over all the king's dominion, and no man shall mint except in a town.

14.1 If a moneyer is found guilty, let the hand with which he performed the crime be struck off, and set up on the mint. If there is a charge and he wishes to clear himself, then he shall go to the hot iron and clear the hand with which he is accused of performing the evil. If he then is found guilty at that ordeal, do the same as is said here before.

14.2 In Canterbury seven moneyers: four of the king, two of the bishop and one of the abbot [of St. Augustine's, Canterbury]; to Rochester three, two of the king and one of the bishop; to London eight; to Winchester six; to Lewes two; to Hastings one; another to Chichester; to Southampton two; two to Wareham; two to Exeter; two to Shaftesbury; otherwise, to the other burhs, one.

## III Edgar

8 And one money shall go over all the king's dominion and no man shall refuse it

8.1 And [one] measure, [shall go over all the king's dominion] such as the one kept in Winchester

8.1 *Wulfstan recension* And one measure shall go, and one weight, such as the one kept in London and Winchester

Be myneterum.] Þridde: þæt an mynet sie ofer [ealle] þæs cinges anweald: 7 nan man ne mynetige butan port."

[Gif se] mynetere ful wurðe, slea man ða hand of, ðe he þæt ful [mid wor]hte, 7 sette upp an þa mynetsmyðþan. Gif hit þonne [tyhtle] sie, 7 he hine ladian wille, þonne ga he to hatum isene 7 ladie [þa hand, m]id þe man tyhð, þæt þæt facen worhte. Gif he þonne on þam or[dale ful] wurpe, do man þæt ylce swa hit her beforan cweð

On [Cant]warabyrg VII mynetras: IIII cinges, II bisceopes [7 I þæs] abbodes; to Rofeceastre III: twegen þæs cinges 7 [an þæs bi]scopes; to Lundenbyrg VIII; to Winteceastre VI; to [Læwe II]; to Hæstingaceastre I; ofer to Cysseceastre; [to Ham]tune twegen; twegen to Werham; twegen to Æxeceastre; [twegen to Sce]aftesbyrg; elles to þam oðrum burgum an.

7 ga an mynet ofer ealne þæs cynges anweald, 7 þane nan man ne forsace

7 gemet, swylce man on Wintancestre healde.

7 gange an gemet, 7 an gewihte, swylce mon on Lundenbyrig 7 on Wintancestre healde

## III Æthelred

8 And every moneyer whom one accuses of striking false coins after it was forbidden shall go to the threefold ordeal, if he is guilty, he shall be slain

8.1 And no man shall control a moneyer except the king

8.2 *And each moneyer who is accused, let him buy the law with 12 ore*

16 And moneyers who work in a wood or elsewhere, that they shall be forfeit of their lives, unless the king will pardon them

And ælc mynetere þe man tihð þæt fals feoh sloge, syððan hit forboden wæs, gange to þrimfealdan ordale; gif he ful beo, slea hine man

And nan mann ne age nænne mynetere buton cyng

*7 ælc mynetere þe betihtlad si, bicge him lah mid XII oran*

7 þa myneteras þe inne wuda wyrceð oððe elles hwær, þæt þa bion heora feores scyldig, buton se cyning heom arian wille

#### IV Æthelred

5 And they have declared that nothing shall be seen to differ between counterfeiters and merchants who deliver good money to counterfeiters in order that they might make money that is impure and deficient in weight and acquire it from them to trade and buy, and even those who make dies in secret and sell them to counterfeiters for money, and engrave the name of another moneyer on them, and not that of the wicked one

5.1 Thus it is seen by all the wise that these three men be deserving of one punishment

5.2 And if anyone of them is accused, whether he be English or foreign, let him clear himself by full ordeal

5.3 And they have ordained that moneyers shall lose a hand and that it shall be set up over that mint

5.4 And for moneyers who operate in forests or work elsewhere in similar

Etiam dixerunt, quod nichil eis interesse uidebatur inter falsarios et mercatores qui bonam pecuniam portant ad falsarios et ab ipsis emunt, ut impurum et minus appendens operentur, et inde manganant et barganiant, et eos etiam qui conos faciunt in occultis et uendunt falsariis pro pecunia et incidunt alterius monetarii nomen in eo, et non ipsius immundi

Unde uisum est sapientibus omnibus, quod isti tres homines unius rectitudines essent digni

Et si aliquis eorum accusetur, sit Anglicus sit transmarinus, ladiet se pleno ordalio

Et constituerunt, monetarii cur manum perdant, et ponatur super ipsius monete fabricam

Et monetarii, qui in nemoribus operantur uel alicubi similibus fabricant, uitae suae



places, the penalties shall be their lives, unless the king wishes to pity them

6 And we command that no one shall refuse pure money of good weight, in whatever city it has been struck in my kingdom, under the penalty of noncompliance with me

7 And we have declared concerning merchants who bring false and light coin to town, that they shall find an advocate, if they can

7.1 If they cannot, the penalty shall be their weregeld or their life, as the king wishes, or they shall clear themselves in the way which we have decreed, that they recognized nothing impure in that money with which they carried out their business

*7.2 And afterwards that one shall have financial loss as a result of his carelessness, so that he shall exchange [for] pure and properly weighted [coin] from an established moneyer*

7.3 And town-reeves who have consented to this deceit shall merit the same punishment as counterfeiters, unless the king shall pardon them, or if they are able to clear themselves by the same shared oath or by the aforementioned ordeal

8 And the king advises and commands his bishops and counts and ealdormen and all overseers that, both among the Danes and the English, they take care concerning those who produce such false coin and carry it through the country, as has been

culpabiles sint, nisi rex uelit eorum misereri

Et precipimus, ne quis pecuniam puram et recte appendentem sonet, monetetur in quocumque portu monetetur in regno meo, super ouerhirnessam meam

Et diximus de mercatoribus, qui falsum et lacum afferunt ad portum, ut aduocent si possint

Si non possint, weræ suæ culpa sit uel uitæ suæ, sicut rex uolet, uel eadem lada se innoxient, quam prediximus, quod in ipsa pecunia nil inmundum sciebant, unde suam negotiationem exercuerunt

*Et habeat postea dampnum illud ex incuria sua, ut cambiat ab institutis monetariis purum et recte appendens*

Et portireue qui falsi huius consentanei fuerint, eiusdem censure digni sint cum falsis monetariis, nisi rex indulgeat eis, uel se possint adlegiare eodem cyrað uel ordalio predicto

Et rex suadet mandat episcopis suis et comitibus et aldremannis et prepositis omnibus, ut curam adhibeant de illis qui tale falsum operantur et portant per patriam, sicut premissum est, utrobique cum Danis et Anglis

set forth

9 that moneyers shall be fewer than they have been in the past: in each great town three, and one moneyer shall be in each other town

Et ut monetarii pauciores sint quam antea fuerint: in omni summo portu III, et in omni alio portu sit unus monetarius

9.1 And they shall have their employees in their crimes, so that they shall make pure [coin] and of the right weight, and be subject to the same punishment which we have mentioned before

Et illi habeant suboperarios suos in suo crimine, quod purum faciant et recti ponderis, per eandem witam quam prediximus

9.2 And those who watch over towns, shall bring about, subject to the penalty of noncompliance with me, that every weight is signed according to the weight by which my money is received, and it shall be stamped for each of them that 15 ore make a pound

Et ipsi qui portos custodiunt, efficiant per ouerhyrnessam meam, ut omne pondus sit marcatum ad pondus quo pecunia mea recipitur; et eorum singulum signetur ita, cur (quod) XV ore libram faciant

9.3 And all shall preserve the coinage, in the way I command and all of us agreed to instruct you

Et custodiant omnes monetam, sicut uos docere precipio et omnes elegimus

## V Æthelred

24 And one shall very much avoid deceptive deeds and hateful injustice such as false weights and crooked measures and lying testimonies [and base frauds]

7 swicollice dæda 7 laðlice unlaga ascunige man swyðe, þæt is false gewihta 7 woge gemeta 7 lease gewitnessa [7 fracodlice ficunga]

26 But man shall henceforth earnestly love God's law in word and in deed; then God will immediately become merciful to this nation

Ac lufige man Godes riht heonan forð georne wordes 7 dæda; þonne wurð þisse þeode sona God milde

26.1 And one shall be eager for the improvement of the peace and for the improvement of the currency everywhere

beo man georne ymban friðes bote 7 ymbe feos bote æghwar on earde, 7 ymbe burhbote 7 ymbe bricbote æghwar on

in the country, and for fortification building and bridge building everywhere in the country in every region and for military service, at any time there is need, in accord with the manner decreed

earde on æghwīlcum ende, 7 ymbe firdunga, aa þonne neod sy, be þam þe man geræde

27 And for the naval service as earnestly as one is able, so that every one is equipped immediately after Easter every year

7 ymbe scipfirðrunge, swa man geornost mæge, þæt æghwīlc geset sy sona ofer eastron æghwīlce geare

## VI Æthelred

28.2 And one shall very much avoid deceptive deeds and hateful injustice such as false weights and crooked measures and lying testimonies and base frauds and foul adulteries and dreadful perjuries

7 swicollice dæda 7 laðlice unlaga ascunige man swyðe, þæt is false gewihta 7 woge gemeta 7 lease gewitnessa 7 fracodlice ficinga 7 fule forligra 7 egeslice manswara

31 moreover, let us all deliberate very earnestly on improving the peace and on improving the currency

Wutan eac ealle ymbe friþes bote 7 ymbe feos bote smeagean swyðe georne

32 and in regard to the peace, it shall be improved as is best for the householder and is worst for the thief

Swa ymbe friþes bote, swa þam bondan sy selost 7 þam þeofan sy laþost

32.1 and in regard to the currency, it shall be improved so that one money goes over all the nation without any counterfeit

7 swa ymbe feos bote þæt an mynet gange ofer ealle þas þeode butan ælcon false

32.2 And one shall earnestly amend weights and measures, and all injustices shall henceforth be abandoned

7 gemeta 7 gewihta rihte man georne 7 ælces unrihtes heonan forð geswice

32.3 and fortification building and bridge building shall be earnestly attended to in every region and moreover military service and naval service as well, at any time it is required just as is decreed for the general need

7 burhbota 7 bricbota aginne man georne on æghwīlcon ende, 7 firdunga eac 7 scipfirdunga ealswa, a þonne neod sy, swa swa man geræde for gemænelicre neode

**Cnut 1018**

20 Moreover, let us all deliberate very earnestly on improving the peace and on improving the currency

Wytan eac ealle ymbe friðes bote 7 ymbe feos bote smeagan swiðe georne

20.1 And in regard to the peace, it shall be improved as is best for the householder and is worst for the thief

Swa ymbe fryðes bote, swa beo þam bondan selost 7 þam þeofan sy laðost

20.2 And in regard to the currency, it shall be improved so that one money goes over all the nation without any counterfeit

And swa ymbe feos bote þæt an mynet gange ofer ealle þas þeode buton ælcon false

21 And one shall earnestly amend weights and measures, and all injustices shall henceforth be abandoned

And gemeta 7 gewihta rihte man georne 7 ælces unrihtes heonan forð geswice

22 And fortification building and bridge building shall be earnestly attended to

And burhbota 7 bricbota aginne man georne

23 And moreover military service when it is required for the general need

7 fyrdunga eac swa a þonne þearf sy for gemænelicre neode

**II Cnut**

8 Moreover, let us all deliberate very earnestly on improving the peace and on improving the currency and in regard to the peace, it shall be improved as is best for the householder and worst for the thief and in regard to the currency, it shall be improved so that one money goes over all the country without any counterfeit, and that no man shall refuse it

Uton eac ealle ymbe friðes bote 7 ymbe feos bote smeagian swiðe georne Swa ymbe friðes bote, swa ðam bondan sy selost 7 ðam ðeofan sy laþost 7 swa ymbe feos bote, þæt an mynet gange ofer ealle ðas ðeode butan ælcon false 7 þæt nan man ne forsace.

8.1 And he who after this makes counterfeit, loses the hand with which he made the counterfeit, and he shall not buy it back with anything, not with gold nor with silver

7 se ðe ofer ðis fals wyrce, ðolie ðara handa, ðe he þæt fals mid worhte, 7 he hi mid nanum ðingum ne bycge, ne mid golde ne mid seolfre

8.2 And if the reeve is accused, that the man wrought counterfeit by his permission, let him clear himself with the threefold exculpation; and if he then fails the exculpation, he shall have the same sentence as he who wrought the counterfeit

7 gyf man ðone refan teo, þæt he be his hleafa þæt fals worhte, ladie hine mid ðryfealdre lade, 7 gyf seo lad ðonne byrste, habbe ðone ilcan dom ðe se ðe þæt fals worhte

9 And one shall earnestly amend weights and measures, and all injustices shall be abandoned

gemeta 7 gewihta rihte man georne 7 ælces unrihtes geswice

10 and fortification building and bridge building (henceforth) and naval service shall be earnestly attended to and military service also, at any time it is necessary for the general need

7 burhbota 7 byrcgbota (heonan forð) 7 scipforðunga aginne man georne, 7 fyrdunga eac swa, a ðonne ðearf sy for mænelicre neode

*Italicized clauses were not discussed in Chapter One.*

## APPENDIX E

### STYLISTIC VARIATION AMONG THE MANUSCRIPTS

Some change is evident in aspects of the different Andover texts' presentation, but these changes often appear tentative. A simple example is numbers. There are nine instances of larger (i.e., greater than ten) numbers in the code, although each does not appear in every text. The vagaries of the individual scribes preclude our drawing any firm conclusion, but one trend is apparent. As can be seen from Table 14, in a combined ten out of eleven cases, G1 and T write these numbers out, whereas the versions that can be associated with Wulfstan do so only thirteen out of twenty-three times, instead making much greater use of Roman numerals. More precisely, when dealing with material that was part of the original code, A, G2 and D generally accord with G1 and T, but on the two occasions when the numbers are part of later additions, they employ Roman numbers exclusively. This may reflect the style of the author(s) of these additions; it also suggests an increased willingness to use Roman numbers in legislative texts.

More can be gleaned from a comparison of the punctuation employed in the various Andover texts. Both G1 and T reveal little in the way of a comprehensive approach to punctuation, although in the case of the latter, this may be attributable to the transcription, which records only a medial *punctus*, employed indiscriminately for all pauses. The scribe of G1 also seems to rely primarily on a medial *punctus*, although in the last half of the code a *punctus versus* appears nine times, always at the point of a significant break. A lone *punctus elevatus* is also employed, immediately before one of the very few capitals found in this text. The natural assumption that this was meant to indicate a major break is difficult to sustain, given its location in the middle of a

Table 14. Rendering of Numbers in the Andover Manuscripts

Text	G1	T	A	G2	D
<i>II</i> 2.2: 15 nights	_____	_____	XV Niht	_____	XV niht
<i>II</i> 4.1: 30 pence	XXX pænega	þrittig peninga	XXX Pænega	_____	þrittig $\overline{p}$
<i>II</i> 4.1: 120 shillings	hundtwelftig scill	hundtwelfig scillinga	hundtwelftig scylinga	_____	hund twelftig scill
<i>II</i> 4.2: 200 shillings	twahund scill	twahund scill	twahund scylinga	_____	twahund scill
<i>III</i> 3: 120 shillings	hundtwelfti scill	hundtwelftig scillinga	hundtwelftig scill	...twelftig scill <sup>1</sup>	hundtwelftig scill
<i>III</i> 6.2: 12 months	twelf monðum	_____	twelf monðum	XII monðum	XII Monðum
<i>III</i> 7.2: 120 shillings	hundtwelftig scill	_____	hundtwelftig scyll	hund twelftig scill	hundtwelftig scill
<i>III</i> 8.2: 120 pence	ealfan punde	_____	CXX	healfan punde	CXX $\overline{p}$
<i>III</i> 8.3: 60 shillings	_____	_____	LX Scylinga	LX scill	XL <sup>2</sup> Scill

conditional statement.<sup>3</sup> Punctuation is far more extensive and regularized in the two

Wulfstan manuscripts A and G2. Andy Orchard has discussed the punctuation employed

<sup>1</sup> This marks the precise point at which the extant portion of G2 begins.

<sup>2</sup> Presumably a transposition of “LX,” see above, p. 165.



by Wulfstan in his homilies, and a similar scheme seems to have been followed with these laws.<sup>4</sup> In addition to a medial *punctus* used to denote a lesser pause, a *punctus elevatus* typically indicates minor breaks, whereas a *punctus versus* signifies major stops. In comparison with these two, D—produced perhaps a generation later—appears to represent a step back, making use only of a medial *punctus*.

The use of capitals also varies significantly between the different Andover scribes. Each uses an enlarged, illustrated “Ð”—or “P,” in the case of D—to mark both the beginning of the code and the transition from religious to secular matters.<sup>5</sup> (Indeed, it is solely due to this feature that nineteenth-century editors divided Andover into the two parts that were christened, misleadingly, II and III Edgar, although there is no evidence that they should be considered independent from one another.) This is where the similarities end, however. G1 is both sparing and seemingly idiosyncratic in its employment of capitals. In addition to the illuminated initials there are five other capitals, and only one appears after a logical break.<sup>6</sup> The usage in T is a bit more comprehensible, with eight, all appearing at major breaks. There are nine in A, usually appearing at

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<sup>3</sup> Loyn, *A Wulfstan Manuscript*, 21–22, treats the punctuation of the Andover scribe at greater length. The single *punctus elevatus* is found in III Edgar 4, between “wolde” and “Si.”

<sup>4</sup> Andy Orchard, “Re-editing Wulfstan: Where’s the Point?,” in Townend, *Wulfstan, Archbishop of York*, 63–91. See also, Loyn, *A Wulfstan Manuscript*, 25–26, on the G2 scribe.

<sup>5</sup> T constitutes a partial exception to this pattern. The second initial is present, and it appears that Taylor left a space for the first. If he was faithfully copying his exemplar, it may have been absent there as well.

<sup>6</sup> II Edgar 2 opens with a capital. Of the other four, the one in III Edgar 4, has already been noted; the remaining three are in II Edgar 3.1, (“...cynges man **Sy** hit...); III Edgar 2.2 (“...gylte **Ne** forwyrce...”); and III Edgar 8 (“...nan man **Ne** forsace...”). This last was overlooked by Loyn, *A Wulfstan Manuscript*, 20, who suggests the capitals were used “probably by mistake.”

breaks, but there are also three instances of an initial “S” deployed for no clear reason.

There is but one capital in G2, which is found at a break. Finally, there are nine in D, all at breaks.

Combining the evidence of punctuation, capitals and rubrication offers some insights as to how the organizational structure of Andover was perceived. Again, G1 is a muddle, particularly since its clearest indicator of a new clause, the *punctus versus*, is only deployed in the latter half of the code; indeed, seven of the nine only appear in the final twenty percent of Andover. The situation for T is similarly problematic, as, absent any punctuation clues, we are forced to rely on the handful of capitals, which are, at least, somewhat evenly distributed. A, G2 and—to a lesser extent—D, are much less ambiguous, drawing the reader’s attention to their internal divisions. For the first two, in all instances in which a *punctus versus* is deployed, it is followed by insular ampersands or capitals that have either been enlarged (in the case of A) or rubricated (in the case of G2).<sup>7</sup> These breaks are identified in Table 15. Of the elements of the code that survive in both manuscripts, nine of the thirteen divisions in G2 are also found in A, and nine of the ten in A are in G. This fairly high correlation suggests that the principles guiding the establishment of these divisions were broadly understood by the scribes who copied these texts, whereas the lack of such a correlation with the chapters as they are represented in printed editions is a salutary reminder of the potential arbitrariness of the clausation

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<sup>7</sup> Wormald, *Making of English Law*, 189 n.113, suggests that the additions to Harley 55 attributed in Ker, “Handwriting,” 327 to Wulfstan but not described, are, in fact, these enlarged ampersands and capitals. In addition to those noted by Wormald, further breaks in Harley 55 can be found at II Edgar 1, 2, 2.1, 5.2, III Edgar 6.2 and 7.



imposed by modern editors. To take but one example, note II Edgar 5.1, one of the places into which new material has been inserted. The A text indicates that a break should precede the phrase beginning “7 ælces fringedages...” or “and each Friday,” but instead it has simply been appended onto the clause it precedes. Again, D, shows some signs of regression. While it does feature rubricated capitals, they are not accompanied by telltale punctuation. It also has less than a third of the divisions that A has, although again, where they are indicated, they align with those found in the other two Wulfstan manuscripts.

These structural changes were accompanied by a number of stylistic changes affecting the language of Andover. These include simple lexical substitutions, in which a given word was replaced with a synonym. A thorough review of Andover shows three such instances. The first can be found in II Edgar 4.3 in which “syðe/siðe” in A, T and D are given in place of “cyrrē” in G1. Both words, in this context, mean time or occasion, so the import of this switch is not apparent. D and G1 were both in Wulfstan’s orbit, and it may be significant that Mabel Dobyns’s survey of Wulfstan’s homiletic vocabulary reveals that he employed “syðe/siðe” in other instances, but not the “cyrrē.”<sup>10</sup> This fails to account, however, for the use of the same word in T, which escaped the most egregious of the Wulfstanian interpolations. It may have been introduced independently into T or into a common ancestor that predates Wulfstan. A similar change can be found in III Edgar 6.2, in which G1’s “sealde” [surrendered] is replaced by “geald” [yielded] in A, G2 and D. The final, and most complex, example, can be found in III Edgar 7, in which

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<sup>10</sup> Mabel Dobyns, “Wulfstan’s Vocabulary: A Glossary of the *Homilies* with Commentary,” (PhD thesis, University of Illinois, 1973), 107.

G1's "sceawie" [chosen] is preserved as "scawie" in G2, changed to "sceapige" [assigned] in A and "scifte" [appointed] in D. This clause was incorporated into II Cnut 25, in which "sceawie" is the reading found in both the same part of Nero A.i that contains G1 and in one other manuscript, and "scepige" is employed in Harley 55—although that manuscript's version of Cnut's code is not in the part containing A. It is difficult to draw any conclusions from this scattering, but evidence of a concern to employ a standardized legal vocabulary is, at best, ambiguous.

Another stylistic modification was the addition of words that did not substantially change the text's meaning, but did add emphasis. These include II Edgar 1, where G1's reading that "God's churches are deserving of rights" becomes "God's churches are deserving of **all** rights" in A, D and T.<sup>11</sup> A similar change occurs in II Edgar 5.1, with G1 having "and the people shall observe [a] proclaimed fast," while A, D, and T have "and the people shall observe **each** proclaimed fast."<sup>12</sup> This latter reading is identical to that found in I Cnut 16. Another instance occurs at III Edgar 1.1, in which the more secular portion of code is introduced "it is therefore that I will" in G1 and T, and "it is therefore **first** that I will" in A and D.<sup>13</sup> Again, the latter reading is found at the beginning of II Cnut I, which commences that code's secular portion. Both codes then go on to discuss the need for the availability of justice to all, regardless of status.

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<sup>11</sup> **G1**: "Godes cyrican syn rihtes wyrðe;" **A**: "godes cyrican syn **ælces** ryhtes wyrðe."

<sup>12</sup> **G1**: "7 man beboden fæsten healde;" **A**: "7 man **ælc** beboden fæsten healde."

<sup>13</sup> **G1**: "Þæt is þonne þæt ic wille;" **A**: "Þæt is þonne **ærest** þæt ic wille."

These last two cases illustrate some of the ambiguities inherent in the relationship between Andover and subsequent codes, particularly those with which Wulfstan is associated—the later legislation of Æthelred and that of Cnut. It is evident that Andover is one of the most significant of the earlier texts to which Wulfstan had recourse when drafting his codes.<sup>14</sup> What is less clear is whether he first introduced changes into Andover and then copied them into the codes he authored, or whether he retroactively ‘corrected’ Andover to bring it into accord with his own legislation. As was just noted, in the instance of II Edgar 5.1 the code is modified in T as well as A and D. Since T, as will be seen, is free of the more substantial additions made by Wulfstan, this change to II Edgar 5.1 may well originate in a common ancestor of both T and Wulfstan’s exemplar(s), in which case it may be assumed that the relevant section of Cnut’s code was drafted using this version of Andover as a model. (Alternatively, this change may have been introduced independently into Wulfstan’s versions and into the tradition that produced T.) On the other hand, the addition to III Edgar 1.1, found only A and D, is more likely to be Wulfstan’s, and the priority of Cnut’s code vis-à-vis Andover cannot be determined. For the purposes of the present inquiry, the question of precedence is of lesser import than the apparent desire that Andover be updated to reflect contemporary standards of legislation.

Further stylistic change can be seen in omissions and inclusions that suggest a concern with the text’s clarity, although, again, these do not substantially alter its substance. Occasionally, words were dropped, as happened in II Edgar 2, in which,

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<sup>14</sup> Wormald, *Making of English Law*, 355-63.

referring to private churches, G1 and T state “**he** shall give the third part of his own tithe to his church,” but A and D omit the first pronoun, which is the reading adopted in I Cnut 11.<sup>15</sup> Immediately thereafter, in II Edgar 2.1, G1 and T have “**then** he shall give to his priest what he wishes out of the next tenth part,” and A and D leave out the conjunction, which, again, is the version preferred in I Cnut 11.1<sup>16</sup> Another instance in which superfluous language is eliminated is II Edgar 5. In G1 this is given as “and one shall observe each Sunday feast from **the** ninth hour on Saturday to **the** dawn on Monday” but A, D and T, eliminate the definite articles, as does I Cnut 14.2.<sup>17</sup> In III Edgar 6, the others have “and the surety **therefore** shall lead and hold him to every obligation,” but D drops the “therefore.”<sup>18</sup> In this case, the relevant section of Cnut’s code (II Cnut 20) is a paraphrase rather than an exact copy, but it too lacks the conjunctive adverb.<sup>19</sup> The G1 and A reading from III Edgar 7, “and then he may yet find **for him[self]** a surety if he can,” is altered in D and G2 by the omission of the pronoun, a reading reflected in II Cnut 25.<sup>20</sup> Finally, a somewhat more substantial absence is evident in the prologue to the code.

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<sup>15</sup> **G1**: “gesylle **he** þane [**T: ðonne**] þriddan dæl his agenra teoðunge into his cyrican;” **A**: “gesylle ðone þriddan dæl his agenra teoþunge into his cyricean.”

<sup>16</sup> **G1**: “**ðonne** do he of þam nigan dælum his preoste þæt þæt he wille.”

<sup>17</sup> **G1**: “7 healde man ælces sunnandæges freols fram nontide **þæs** sæternesdæges oð **ðæs** monandæges lihtinge;” **A**: “7 healde mon ælces sunnandæges freolsunga [**T: freols**] fram sæternesdæges nontide [**T: non**] oð monandæges lihtinge.” The A version of this clause contains the single occurrence of the Wulfstan hand identified by Ker in any text of Andover, in the form of an interlinear “sæternesdæges,” which the original scribe had omitted.

<sup>18</sup> **G1**: “7 se borh hine **þonne** to ælcum rihte gelæde 7 geealde.”

<sup>19</sup> **II Cnut 20a [from Nero A.i(A)]**: “7 gehealde se borh hine 7 gelæde to ælcan rihte.”

<sup>20</sup> **G1**: “7 finde **him** þonne gyt borh gyf he mæge.”

All other versions indicate this it was decreed “for the glory of God, and for the benefit of his own royal majesty and **of all his people**,” but D leaves out the reference to the people.<sup>21</sup> This might be an inadvertent omission on the scribe’s part, but the result renders the phrasing in D identical to that found in the prologue of Cnut’s code.<sup>22</sup>

More often, however, words were added rather than omitted. In II Edgar 3.1, in regards to those who fail to tithe, G1, T and A all read “the king’s reeve shall go to him” but D offers “**then** the king’s reeve shall go to him....”<sup>23</sup> Both VIII Æthelred 8 and I Cnut 8.2 reflect the D reading. The penalty for those who don’t follow II Edgar 5’s aforementioned observance of Sunday shall be, in G1, “in accord with the punishment which written law prescribes;” the other texts add the definite article, “in accord with the punishment which **the** written law prescribes.”<sup>24</sup> In a minor change, the reading of III Edgar 1.2 found in G1, A and D, as well as II Cnut 2, “and acceptable to the world,” becomes in T “and **also** acceptable to the world.”<sup>25</sup> III Edgar 2.1, delineating the grounds for appeal, reads, in G1, A and D, “if the justice is too heavy” which T modifies to “**and** if the justice is **then** too heavy.”<sup>26</sup>

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<sup>21</sup> A: “Gode to lofe 7 him sylfum to cynescype 7 **eallum his leodscype** to þearfe.”

<sup>22</sup> I Cnut prologue: “Gode to lofe 7 him sylfum to cynescype 7 to þearfe.”

<sup>23</sup> G1: “fare þæs cynges gerefa to;” D: “**þonne** fare þæs cyninges gerefa to.”

<sup>24</sup> G1: “be þam wite þe domboc tæcð;” A: “be þam wite ðe **seo** domboc tæcð.”

<sup>25</sup> G1: “7 for worulde aberendlic;” T: “7 **eac** for worulde aberendlic.”

<sup>26</sup> G1: “Gyf þæt riht to hefig sy;” T: “7 gif þæt [r]iht **ðonne** to hefig sy.”



The discussion of bad judges in III Edgar 3 features several such instances of addition. In G1, the beginning of this clause reads “and the judge, **he** who judges **on** another falsely,” but A and D do not have the pronoun and neither they nor T have the preposition.<sup>27</sup> Almost immediately thereafter, G2 (the surviving portion of which begins in the middle of this clause) adds a pronoun—“unless he dares to swear **it** with an oath”—that is not found in any of the other versions, nor in II Cnut 15.1, which uses the same language.<sup>28</sup> The next change in this clause presents a more complex puzzle. In G1 and T, it reads “and forfeit forever **after** [unique to T] his thengnship unless he redeem it **anew** from the king, **just** [in T and A] as he is willing to allow him.”<sup>29</sup> The second addition, “anew,” (“eft”) is not found in the other three versions of Andover. It is, however, in one of extant texts of II Cnut 15.1, albeit in a slightly different place in the clause.<sup>30</sup> This version of II Cnut is in Nero A.i(A), the manuscript that also contains G1. It may have been inserted into Cnut’s code at the time of the manuscript’s production, as the result of an imperfect collation with G1, in which case it would postdate the former’s composition. If not, then this is the single instance in which an alternative Andover reading is rejected in copies of the code found in books connected with Wulfstan, and yet appears in the archbishop’s own laws.

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<sup>27</sup> **G1**: “7 se dema **se** ðe oðrum **on** woh gedeme;” **A**: “7 se dema [**T: se**] þe oðrum woh deme [**T: gedeme**].”

<sup>28</sup> **G2**: “butan he **hit** mid aðe gecyþan durre.”

<sup>29</sup> **T** “7 polige á **siððan** his þegenscipes buton he hine **eft** æt ðam cyнге gebygge **swa** swa he him geðafian wille.”

<sup>30</sup> **Nero A.1(A)**: “butan he hine æt þam cinge **eft** gebicge.” The other modifications (“siððan” and “swa”) are not in any of the II Cnut versions of this law.

Similar examples of such additions can be found in the remainder of the code. In III Edgar 4, on slander, the reading in G1 “if then, the second is able to disprove” is, in A, D, G2 and T “if then, the second **one** is able to disprove” which is the phrasing employed in II Cnut 16.<sup>31</sup> In III Edgar 5.2, dealing with meetings of the hundred, T reads “and there shall be the bishop **of the** diocese and the ealdorman and both shall teach God’s law and worldly law,” whereas the other versions, and II Cnut 18.2, have “and there shall be the diocesan bishop and the ealdorman and **there** both shall teach God’s law and worldly law.”<sup>32</sup> On the question of a surety’s responsibility, in III Edgar 6.2, D embellishes upon the language in the other texts: “if it **then** be a thief and if **then** he is able to apprehend him within twelve months.”<sup>33</sup> Two such instances occur in III Edgar 7.1. The text of G1 and G2 is “and **they shall appropriate** all that he has,” whereas A and D read “and **to appropriate** all that he has.”<sup>34</sup> This could be an instance of haplology, but the latter is also a good reading in the context of the whole clause (“they shall seize him...to appropriate all that he has”) and is used in II Cnut 25.a. Shortly thereafter, G1 has “and the landlord [i.e., local lord] shall receive half and half to the hundred.” A, D and G2, perhaps reflecting a concern about possible ambiguity, as this division was to take place

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<sup>31</sup> **G1**: “gyf þonne se oðer geunsoðian mæge;” **A**: “gif þonne se oðer **þæt** geunsoðian mæge.”

<sup>32</sup> **T**: “7 þær beo on ðere scire **se** bis[cop 7 se eald] orm[a]n 7 [**G1, G2, A, D: þær**] ægðer tæcan ge godes riht ge woruldriht;” **G1**: “7 þær beo on ðære scire biscop 7 se ealdorman 7 **þær** ægðer tæcon ge godes riht ge woruldriht.” Taylor indicates that his source in this section is at times illegible.

<sup>33</sup> **D**: “gif hit **þonne** þeof beo, 7 gif he hine **þonne** binnan XII monðum gelangian mæge.”

<sup>34</sup> **G1**: “7 **nime man** eal þæt he age,” **A**: “7 **niman** eal þæt he age.”

only after the accuser was compensated, alter this to “and the lord shall take half **of the rest** and half to the hundred,” which is also the phrasing of II Cnut 25.1.<sup>35</sup>

Stylistic change could, of course, be achieved through other means than the simple addition or subtraction of words. The text could also be reworked in a variety of manners. One of the most readily evident entails the creation of parallelism. II Edgar 4.1 treats those who have failed to pay Peter’s Pence, and 4.2 addresses multiple offenders. In G1, 4.1 begins “and if then he has not paid by the appointed day,” and 4.2 “and if he again refuses to surrender it.”<sup>36</sup> In A, G2 and T, 4.1 instead reads “and if he has not paid it by the appointed day.”<sup>37</sup> The effect is to bring it into closer alignment with the succeeding clause. A more clear-cut case can be found in III Edgar 8 and 8.1. G1 has “and let one money go over all the king’s dominion,” for 8.0 and simply “and measure” for 8.1.<sup>38</sup> This is developed both stylistically and substantially in A, D and G2 which have “and one money shall go over all the king’s dominion,” in 8.0 and “and one measure shall go and one weight.”<sup>39</sup>

Other changes do not so obviously present improved readings, and at times it is difficult to determine what their significance might be. When G1 uses the singular in II Edgar 1.1 to discuss the “old church” to which tithes are due, other versions use the

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<sup>35</sup> **G1**: “7 fo se **landhlaforð** to healfan to healfan þæt hundred;” **A**: “fo se **hlaforð elles** to healfum to healfan þæt hundred.”

<sup>36</sup> **G1**: “7 se ðe **þonne** to ðam andagan gelæst næbbe...7 gyf he hine eft syllan nylle.”

<sup>37</sup> **A**: “7 se þe **hine** to ðam andagan gelæst næbbe.”

<sup>38</sup> **G1**: “7 **ga** an mynet ofer ealne þæs cynges anweald...7 gemet.”

<sup>39</sup> **A**: “7 **gange** an mynet ofer ealne ðæs cynges anweald...7 **gange an** gemet **7 an gewihte**.”

plural.<sup>40</sup> The conclusion of this clause reads “just as the plough goes” in G1, “just as the plough covers it” in T and “as the plough covers it” in A and D.<sup>41</sup> In II Edgar 3 G1 indicates “and each church-due shall be paid by Martinmas” but A, D and T have “and each church-due at Martinmas,” electing not to repeat a verb which had already been employed at the beginning of the clause.<sup>42</sup> The Martinmas payments appear three times in legislation that can be associated with Wulfstan, in each instance as an element in a list of dues to be rendered to the Church. VI Æthelred 18.1 and I Cnut 10, are identical to A, D and T, whereas in VIII Æthelred 11.1, the reading, “and they pay church-dues by Martinmas,” is closer to, although not the same as, that of G1.<sup>43</sup> The conclusion of II Edgar 5 commands observance of each other mass-day “as has been proclaimed” in G1 and A, “as is proclaimed” in D and “just as is proclaimed” in T.<sup>44</sup> In I Cnut 14.2, which repeats this precept, the first of these readings is adopted. Another example can be found in III Edgar 7.1. All versions direct that “they shall seize him in whichever way they can,

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<sup>40</sup> **G1**: “ealdan mynstre;” **D+T**: “ealdum mynstrum.” **A**: “ealdan mynstrum,” has a singular modifier attached to a plural noun.

<sup>41</sup> **G1**: “swa **swa** his sulh gega;” **T**: “swa **swa** hit **seo** sulh gega;” **A**: “swa hit **seo** sulh gegange.”

<sup>42</sup> **G1**: “7 ælc cyricsceat **sy gelæst be** martinus mæssan;” **A**: “7 ælc cyricsceat **to** martinus mæssan.” This is the third rendering enumerated in this clause. All the texts use the same verb (“gelæste”) in the first instance. None repeat it in the second, and only G1 does so in the third.

<sup>43</sup> **I Cnut 10**: “7 ælc cyricsceat **to** martines mæssan;” **VIII Æthelred**: “and ciricsceat gelæste man be martinus mæssan.” The clause on Martinmas obligations is missing from one of the two extant manuscripts of VI Æthelred that preserve this portion of the text.

<sup>44</sup> **A**: “swa he beboden **beo**;” **D**: “swa he beboden **sy**;” **T**: “swa **swa** he beboden beo.”

either living or dead,” but D uses somewhat more elaborate language, and this change is picked up in II Cnut 25a.<sup>45</sup>

Although these changes have been presented as deliberate stylistic alterations, some may well represent scribal error instead. The next category to be considered is less ambiguous instances of such error. The discussion in II Edgar 2.1 in G1 and A on “anyone who has a church in which there is **no** graveyard” is inverted by the absence of a negating particle in D and T.<sup>46</sup> (The same clause in I Cnut 11.1 makes clear that it is intended for churches without graveyards.) In II Edgar 4.1, G and A provide “and **then** bring **from there** evidence that he there has paid this amount,” but T does not have “then” and D omits “from there.”<sup>47</sup> A is marred by dittography in III Edgar 1.2.<sup>48</sup> At III Edgar 2, in the phrase “unless he not be allowed **proper** justice at home,” D leaves out the modifier.<sup>49</sup> In III Edgar 6.2, G1 changes the subject from “thief” to “theft,” although the next phrase in all versions refers to a perpetrator, not a crime.<sup>50</sup> Another error occurs in a phrase of III Edgar 7.1 discussed earlier, “and they shall appropriate all that **he** has,”

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<sup>45</sup> A: “gewylde mon hine **swaðer** man mæge, swa cucenne swa deadne,” D: “gewilde man hine **swa hwaðer swa** man mæge, swa cucune swa deadne.” Two of the three texts of II Cnut 25a repeat this exactly, the third reads “swa hwæðer man,” omitting the second “swa.” One of the very rare instances in which word order varies in the different texts of Andover occurs in G2, which has “gewylde hine mon” instead of the “gewylde mon hine” found elsewhere.

<sup>46</sup> A: “gif hwa cyricean hæbbe þe legerstow on **ne** sy.”

<sup>47</sup> A: “7 bringe **þænne þonon** swutelunge þæt he ðær swa micel betæht hæbbe.”

<sup>48</sup> A: “swilce **swilce** hit for gode gebeorhlic sy,” (“in such a way that it is fitting in the sight of God.”)

<sup>49</sup> A: “butan he æt ham rihtes **wryþe** beon ne mote.”

<sup>50</sup> A: “Gyf hit **ðeof** [G1: **þyfð**] beo 7 gif he **hine** binnan twelf monðum gelangian mæge,” (if it be a **thief** [**theft**] and if he is able to apprehend **him** within twelve months.”)

with G2 dropping the second pronoun.<sup>51</sup> (The correct phrasing is found in II Cnut 25.a.)

In III Edgar 7.3, which states of the demonstrated thief or discovered traitor “that he shall never get his life [i.e., receive asylum or sanctuary],” G2 omits a negation that is again restored in II Cnut 26.<sup>52</sup> A final, almost identical, instance is in III Edgar 8.2, treating the established market price for wool, which in A and G2 reads “and no one shall **not** sell it for no less,” but in D the “not” in front of the verb is absent.<sup>53</sup>

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<sup>51</sup> **G2**: “7 **nime man** eal þæt age.”

<sup>52</sup> **A**: “þæt hi næfre feorh **ne** geseceon.” The “ne” is not in G2.

<sup>53</sup> **A**: “7 nan man hy na undeoror **ne** sylle.” The “ne” is not in D. This phrase contains the second of the two instances (along with III Edgar 7.1, discussed earlier in this appendix) in which the syntax differs between texts. G1, unlike the other three versions, begins “7 hie nan man.”

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## VITA

Throughout his time as a graduate student, Daniel O’Gorman has been committed to teaching, research and service of his discipline. He has taught at a variety of courses at Loyola University Chicago through both the Department of History and the Medieval Studies Center, consistently receiving positive evaluations from his students. He has been awarded fellowships from Loyola as well as outside organizations. O’Gorman received an Advanced Doctoral Fellowship from Loyola for 2009-2010. In 2009, he received a Heckman Stipend from the Hill Monastic Museum and Library. In 2007, he won the Department of History’s Robert W. McCluggage Award for Best Research Paper by a Graduate Student for his essay “Elevating Edmond, 869-1200: Developing the Cult of an Anglo-Saxon Saint”. Since 2011, O’Gorman has served as a reader for the College Boards Advanced Placement European History Exam.

In addition to Loyola University Chicago, O’Gorman has undertaken research at the Bodleian Library (University of Oxford), the British Library (London), the Vatican Film Library (Saint Louis University), and the Hill Monastic Library (Collegeville, MN). He has presented papers both domestically and internationally, including the International Congress on Medieval Studies (Kalamazoo), the Illinois Medieval Academy, the Mellon Symposium on Medieval Subjectivity, the Biennial Literature and Law Conference, the Southeastern Medieval Association, the Vagantes Graduate Medieval Conference, the

Charles Homer Haskins Society Conference, and the International Medieval Conference (Leeds, UK). O’Gorman’s recently published chapter, “Mutilation and Spectacle in Anglo-Saxon Legislation” in the collection *Capital and Corporal Punishment in Anglo-Saxon England*, Boydell, 2014, grew out of research undertaken for the writing of this dissertation.